

England - Church of England
[Constitutions & Canons 1133]
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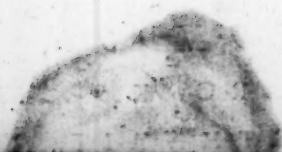
CONSTITUTIONS AND C A N O N S ECCLESIASTICAL.

Treated upon by the Bishop of LONDON,
President of the Convocation for the Province of
CANTERBURY, and the rest of the Bishops and
Clergy of the said Province.

And agreed upon with the Kings Majesties
Licence in their Synod begun at London, Anno Dom.
1603. And in the year of our Sovereign Lord,
JAMES by the grace of God King of England,
France and Ireland, the First, and of Scotland
the seven and thirtieth.

And now published for the due observation of them,
by His Majesties Authority under the Great
Seal of ENGLAND.

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L O N D O N,
Printed for A. CROOK, J. KIRTON, and
T. GARTHWALT. 1665





A M E S,



By the grace of God King of
England, Scotland, France, and
Ireland, Defender of the Faith,
&c. To all whom these presents
shall come, Greeting.

Whereas Our Bishops, Deans of Our Ca-
thedral Churches, Archdeacons, Chapters
and Colleges, and the other Clergy of every
Diocese within the Province of Canterbury, be-
ing summoned and called by vertue of Our
Writ directed to the most reverend Father in
God JOHN late Arch-bishop of Canterbury, and
bearing date the 31. day of January in the first year
of Our Reign of England, France and Ireland, and of
Scotland the 37. to have appeared before him in Our

Cathedral Church of Saint Paul in London the 20. day of March then next ensuing, or elsewhere, as he should have thought it most convenient, to treat, consent, and conclude upon certain difficult, and urgent affairs mentioned in the said Writ, Did thereupon at the time appointed, and within the Cathedral Church of Saint Paul aforesaid, assemble themselves and appear in Conboration for that purpose, according to Our said Writ, before the Right reverend Father in God Richard Bishop of London, duly (upon a second Writ of Ours dated the 9. day of March aforesaid) authorized, appointed and constituted, by reason of the said Archbishop of Canterbury his death, President of the said Conboration, to execute those things which by vertue of Our first Writ did appertain to him the said Archbishop to have executed if he had lived: We for divers urgent and weighty causes and considerations thereunto especially moving, of Our especial grace, certain knowledge, and meer motion, did by vertue of our Prerogative Royal and supreme Authority in causes Ecclesiastical, give and grant by Our several Letters Patents under Our great Seal of England, the one dated the 12. day of April last past, and the other the 25. day of June then next following, full, free, and lawfull liberty, licence, power, and Authority unto the said Lord Bishop of London President of the said Conboration, and to the other Bishops, Deans, Arch-

deacons, Chapters and Colleges, and the rest of the Clergy before-mentioned of the said Province, That they from time to time during Our first Parliament now prozaged, might confer, treat, debate, consider, consult, and agree of, and upon such Canons, Orders, Ordinances and Constitutions, as they should think necessary, fit, and convenient for the honour and service of Almighty God, the good and quiet of the Church, and the better government thereof to be from time to time obserbed, performed, fulfilled, and kept, as well by the Arch-bishops of Canterbury, the Bishops, and their Successors, and the rest of the whole Clergy of the said Province of Canterbury in their seberal Callings, Offices, Functions, Ministeries, Degrees, and Administrations, as also by all and ebery Dean of the Arches, and other Judg of the Arch-bishops Courts, Guardians of Spiritualties, Chancellors, Deans and Chapters, Arch-deacons, Commissaries, Officials, Registers, and all and ebery other Ecclesiastical Officers, and their inferiour Ministers whatsoe:er of the same Province of Canterbury, in their and ebery of their distinct Courts, and in the order and manner of their and ebery of their proceedings: and by all other persons within this Realm, as far as lawfully being members of the Church, it may concern them, as in our said Letters Patents amongst other clauses more at large doth appear. Forasmuch as the said

Bishop of London, President of the said Convocation, and others the said Bishops, Deans, Archdeacons, Chapters and Colleges, with the rest of the Clergy having met together at the time and place before-mentioned, and then and there, by virtue of our said authority granted unto them, treated of, concluded, and agreed upon, certain Canons, Orders, Ordinances and Constitutions, to the end and purpose by Us limited and prescribed unto them, and have therupon offered and presented the same unto Us, most humbly desiring Us to give our Royal assent unto their said Canons, Orders, Ordinances, and Constitutions, according to the form of a certain Statute or Act of Parliament made in that behalf in the xiv. year of the Reign of King HENRY the eight, and by our said Prerogative Royal, and supreme Authority in causes Ecclesiastical, to ratifie by our Letters Patents under Our great Seal of England, and to confirm the same: the Title and Tenour of them being word for word as ensueth:

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CONSTITUTIONS,

AND

CANONS ECCLESIASTICAL,

Treated by the Bishop of *London*, President of the Convocation for the Province of *Canterbury*, and the rest of the Bishops and Clergy of the said Province: and agreed upon, with the Kings Majesties Licence, in their Synod begun at *London*, Anno Dom. 1603.

In the year of the Reign of our Sovereign Lord *JAMES* by the Grace of God, King of *England*, *France*, and *Ireland*, the first, and of *Scotland* the thirty seventh.

Of the Church of *ENGLAND*.

I.

The Kings Supremacy over the Church of England, in causes Ecclesiastical, to be maintained.



AS our duty to the Kings most Excellent Majesty requireth, we first decree, and ordain, That the Arch-bishop of *Canterbury*, (from time to time) all Bishops of this Province, or Deans, Arch-deacons, Vicars, and all other Ecclesiastical persons, shall faithfully keep, and observe, and (as much as in them lyeth) shall cause to be observed, and

Constitutions, and

kept of others, all, and singular Laws, and Statutes made for the restoring to the Crown of this Kingdome, the ancient Jurisdiction over the State Ecclesiastical, and abolishing of all forein Power repugnant to the same : Furthermore, all Ecclesiastical persons having cure of Souls, and all other Preachers, and Readers of Divinity Lectures, shall to the uttermost of their wit, knowledge, and learning, purely, and sincerely (without any colour or dissimulation) teach, manifest, open, and declare four times every year (at the least) in their Sermons, and other collations, and Lectures, That all usurped, and forein Power, (forasmuch as the same hath no establishment nor ground by the Law of God) is for most just causes taken away, and abolished : and that therefore no manner of obedience, and subjection within his Majesties Realms, and Dominions, is due unto any such forein Power : but that the Kings Power within his Realms of *England, Scotland, and Ireland*, and other his Dominions, and Countries, is the highest Power under God, to whom all men, as well Inhabitants as born within the same, do by Gods Laws ow most loyalty, and obedience, afore, and above all other Power, and Potentates in the earth.

II

Impugners of the Kings Supremacy censured.

WHosoever shall hereafter affirm, that the Kings Majesty hath not the same authority in Causes Ecclesiastical, that the godly Kings had among the Jews, and Christian Emperours in the Primitive Church, or impeach in any part his

Regal Supremacy in the said Causes restored to the Crown, and by the Laws of this Realm therein established, let him be excommunicated *ipso facto*, and not restored but only by the Arch-bishop after his repentance, and publick revocation of those his wicked errors.

III.

The Church of England a true, and Apostolical Church.

WHosoever shall hereafter affirm, that the Church of *England*, by Law established under the Kings Majesty, is not a true, and Apostolical Church, teaching, and maintaining the Doctrine of the Apostles, let him be excommunicated *ipso facto*, and not restored, but only by the Arch-bishop after his repentance, and publick revocation of this his wicked error.

IV.

Impugners of the publick Worship of God, established in the Church of England, censured.

VHosoever shall hereafter affirm, that the form of Gods worship in the Church of *England*, established by the Law, and contained in the Book of Common Prayer, and administration of Sacraments, is a corrupt, superstitious, or unlawful worship of God, or containeth any thing in it that is repugnant to the Scriptures: let him be excommunicated *ipso facto*, and not restored but by the Bishop of the place, or Arch-bishop, after his repentance, and publick revocation of such his wicked errors.

Impugners of the Articles of Religion, established in the Church of England, censured.

V Whoever shall hereafter affirm, that any of the nine and thirty Articles, agreed upon by the Arch-Bishops and Bishops of both Provinces, and the whole Clergy in the Convocation holden at *London*, in the year of our Lord God, one thousand five hundred sixty two, for the avoiding of diversities of opinions, and for the establishing of consent touching true Religion, are in any part superstitious or erroneous, or such as he may not with a good conscience subscribe unto: let him be excommunicated *ipso facto*, and not restored, but only by the Arch-bishop, after his repentance, and publick revocation of such his wicked errors.

Impugners of the Rites and Ceremonies, established in the Church of England, censured.

W Whoever shall hereafter affirm, that the Rites and Ceremonies of the Church of *England*, by Law established, are wicked, antichristian, or superstitious, or such, as being commanded by lawful authority, men who are zealously and godly affected, may not with any good conscience approve them, use them, or as occasion requireth, subscribe unto them: let him be excommunicated *ipso facto*, and not restored, until he repent, and publicly revoke such his wicked errors.

Canons Ecclesiastical.

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VII.

Impugners of the government of the Church of England by Arch-bishops, Bishops, &c. censured.

VV Hosoever shall hereafter affirm, that the government of the Church of *England* under his Majesty by Arch-bishops, Bishops, Deans, Arch-deacons, and the rest that bear Office in the same, is Antichristian or repugnant to the Word of God: let him be excommunicated *ipso facto*, and so continue, until he repent, and publicly revoke such his wicked errors.

VIII.

Impugners of the form of consecrating, and ordering Arch-bishops, Bishops, &c. in the Church of England, censured.

VV Hosoever shall hereafter affirm or teach, that the form, and manner of making, and consecrating Bishops, Priests, or Deacons, containeth any thing in it, that is repugnant to the Word of God, or that they who are made Bishops, Priests, or Deacons, in that form, are not lawfully made, nor ought to be accounted either by themselves, or by others to be truly either Bishops, Priests, or Deacons, until they have some other calling to those divine Offices: let him be excommunicated *ipso facto*, not to be restored until he repent and publicly revoke such his wicked errors.

IX.

Authors of Schisms, in the Church of England, censured.

VV Hosoever shall hereafter separate themselves from the Communion of Saints, as it is approved by the Apo-

stiles rules in the Church of *England*, and combine themselves together in a new Brother-hood, accounting the Christians who are conformable to the Doctrine, Government, Rites, and Ceremonies of the Church of *England*, to be prophane, and unmeet for them to joyn with in Christian profession: let them be excommunicated *ipso facto*, and not restored, but by the Archbishop, after their Repentance, and publick revocation of such their wicked errors.

X.

Maintainers of Schismatics, in the Church of England, censured.

WHosoever shall hereafter affirm, That such Ministers as refuse to subscribe to the form, and manner of Gods worship in the Church of *England*, prescribed in the Communion-Book, and their adherents, may truly take unto them the names of another Church not established by Law, and dare presume to publish it, that this their pretended Church hath of long time groaned under the burden of certain grievances imposed upon the members thereof before-mentioned by the Church of *England*, and the Orders and Constitutions therein by Law established: let them be excommunicated, and not restored, until they repent, and publickly revoke such their wicked errors.

XI.

Maintainers of Conventicles, censured.

WHosoever shall hereafter affirm or maintain, That there are within this Realm, other Meerings, Assemblies or

the Laws of this Land are held, and allowed, which may rightly challenge to themselves the name of true and Lawful Churches: let him be excommunicated, and not restored but by the Archbishop, after his repentance, and publick revocation of such his wicked errors.

XII.

Maintainers of Constitutions made in Conventicles, censured.

W Hosoever shall hereafter affirm, that it is lawful for any sort of Ministers, and Lay-persons, or either of them, to joyn together, and make Rules, Orders or Constitutions in Causes Ecclesiastical without the Kings Authority, and shall submit themselves to be ruled, and governed by them; let them be excommunicated *ipso facto*, and not be restored until they repent, and publicly revoke those their wicked, and Anabaptistical errors.

Of Divine Service, and Administration of
the Sacraments.

XIII.

Due Celebration of Sundaies and Holidiaies.



L L manner of persons within the Church of *England*, shall from henceforth celebrate, and keep the Lords day, commonly called Sunday, and other Holidiaies, according to Gods holy will, and pleasure, and the Orders of the Church of *England* prescribed in that behalf, that is, in the hearing of the Word of God read, and taught in private and publick prayers in acknowledging

their offences to God, and amendment of the same, in reconciling themselves charitably to their neighbours where displeasure hath been, in oftentimes receiving the Communion of the Body and Blood of Christ, in visiting of the poor and sick, using all good and sober conversation.

XIII.

The prescript form of Divine Service to be used on Sundaies, and Holy daies.

THe Common-Prayer shall be said or sung distinctly, and reverently, upon such daies as are appointed to be kept holy by the Book of Common-Prayer, and their Eves, and at convenient and useful times of those daies, and in such place of every Church as the Bishop of the Diocess, or Ecclesiastical Ordinary of the place shall think meet for the largeness or straitness of the same, so as the people may be most edified. All Ministers likewise shall observe the Orders, Rites, and Ceremonies prescribed in the Book of Common-Prayer, as well in reading the holy Scriptures, and saying of Prayers, as in administration of the Sacraments, without either diminishing in regard of Preaching, or in any other respect, or adding any thing in the matter or form thereof.

XV.

The Litany to be read on Wednesdaies and Fridaies.

THe Litany shall be said or sung when, and as it is set down in the Book of Common-Prayer, by the Parsons, Vicars, Ministers, or Curates, in all Cathedral, Collegiat,

Parish-Churches, and Chapels, in some convenient place, according to the discretion of the Bishop of the Diocese, or Ecclesiastical Ordinary of the place. And that we may speak more particularly; upon Wednesdaies, and Fridaies weekly, though they be not Holidiaes, the Minister, at the accustomed hours of Service, shall resort to the Church and Chapel, and warning being given to the people by tolling of a Bell, shall say the Litany prescribed in the Book of Common-Prayer: whereunto we wish every Householder, dwelling within half a mile of the Church, to come or send one at least of his household fit to joyn with the Minister in prayers.

XVI.

Colleges to use the prescript form of Divine Service.

IN the whole Divine Service, and Administration of the holy Communion, in all Colleges, and Halls in both Universities, the Orders, Form, and Ceremonies shall be duely observed, as are set down, and prescribed in the Book of Common-Prayer, without any omission or alteration.

XVII

Students in Colleges to wear Surplices in time of Divine Service.

ALl Masters and Fellows of Colleges or Halls, and all the Scholars and Students in either of the Universities, shall in their Churches and Chapels upon all Sundayes, Holidiaes, and their Eves, at the time of Divine Ser-

vice wear Surplices, according to the order of the Church of *England*: and such as are Graduates shall agreeably wear with their Surplices, such Hoods as do severally appertain to their degrees.

XVIII.

Reverence and attention to be used within the Church in time of Divine Service.

IN the time of Divine Service, and of every part thereof, all due reverence is to be used: For it is according to the Apostles Rule, *Let all things be done decently, and according to Order.* Answerable to which Decency, and Order, We judge these our directions following: No man shall cover his head in the Church or Chapel in time of Divine Service, except he have some infirmity, In which case let him wear a Night-cap or Coife. All manner of persons then present shall reverently kneel upon their knees, when the general Confession, Litany, and other prayers are read, and shall stand up at the saying of the Belief, according to the Rules in that behalf prescribed in the Book of Common Prayer. And likewise when in time of Divine Service the Lord J E S U S shall be mentioned, due, and lowly reverence shall be done by all persons present, as hath been accustomed: testifying by these outward Ceremonies, and gestures, their inward humility, Christian resolution, and due acknowledgment that the Lord Jesus Christ, the true, and eternal Son of G O D, is the only Saviour of the world, in whom alone all the Mercies, Graces,

and Promises of GOD to mankind for this life, and the life to come, are fully and wholly comprised. None, either man, or woman, or child, of what calling soever, shall be otherwise at such times busied in the Church, than in quiet attendance to hear, mark, and understand that which is read, preached, or ministred; Saying in their due place, and audibly with the Minister, the Confession, the Lords Prayer, and the Creed; and making such other answers to the public Prayers, as are appointed in the book of Common prayer: neither shall they disturb the Service or Sermon by walking, or talking, or any other way, nor depart out of the Church during the time of Service, and Sermon, without some urgent or reasonable cause.

XIX.

Loyterers not to be suffered neer the Church in time of Divine Service.

THe Church-wardens or Quest-men, and their assistants, shall not suffer any idle persons to abide either in Church-yard, or Church-porch, during the time of Divine Service or Preaching: but shall cause them either to come in, or to depart.

XX.

Bread and Wine to be provided against every Communion.

THe Church-wardens of every Parish, against the time of every Communion, shall, at the charge of the Parish, with the advice and direction of the Minister, provide a

sufficient quantity of fine white Bread, and of good, and wholesome Wine, for the number of Communicants that shall from time to time receive there, which Wine we require to be brought to the Communion Table in a clean, and sweet standing Pot, or Stoop of Pewter, if not of purer Metal.

XXI.

The Communion to be thrice a year received.

IN every Parish Church, and Chapel, where Sacraments are to be administred within this Realm, the holy Communion shall be Ministred by the Parson, Vicar, or Minister, so often, and at such times, as every Parishioner may Communicate at the least thrice in the year (whereof the feast of Easter to be one) according as they are appointed by the Book of Common Prayer. Provided, that every Minister, as often as he administreth the Communion, shall first receive the Sacrament himself. Furthermore, no Bread nor Wine newly brought shall be used : but first the words of Institution shall be rehearsed when the said Bread and Wine be present upon the Communion Table. Likewise the Minister shall deliver both the Bread and Wine to every Communicant severally.

XXII.

Warning to be given before-hand for the Communion.

WHereas every Lay person is bound to receive the holy Communion thrice every year, and many notwithstanding do not receive the Sacrament once in a year :

We do require every Minister to give warning to his Parishioners publickly in the Church at Morning Prayer the Sunday before every time of his administring that holy Sacrament, for their better preparation of themselves : Which said warning, We enjoin the said Parishioners to accept, and obey, under the penalty, and danger of the Law.

XXIII.

Students in Colleges to receive the Communion four times a year.

IN all Colleges and Halls within both the Universities, the Masters, and Fellows, such especially as have any Pupils, shall be carefull, that all their said Pupils, and the rest as remain amongst them, be well brought up, and thorowly instructed in points of Religion, and that they do diligently frequent publick Service, and Sermons, and receive the holy Communion : which we ordain, to be administred in all such Colleges, and Halls, the first or second Sundays of every month, requiring all the said Masters, and Fellows, and Scholars, and all the rest of the Students, Officers, and all other the servants there so to be ordered, that every one of them shall communicate four times in the year at the least, kneeling reverently, and decently upon their knees, according to the order of the Communion-book prescribed in that behalf.

Copes to be worn in Cathedral Churches, by those that administer the Communion

IN Cathedral, and Collegiate Churches, the holy Communion shall be administred upon principal Feast-days, sometimes by the Bishop, if he be present, and sometimes by the Dean, and at sometimes, by a Canon or Prebendary: the principal Minister using a decent Cope, and being assisted with the Gospeller, and Epistler agreeably, according to the Advertisement published *Anno 7. Eliza.* the said Communion to be administred at such times, and with such limitation, as is specified in the Book of Common Prayer. Provided, that no such limitation by any construction shall be allowed of, but that all Deans, Wardens, Masters, or heads in Cathedral and Collegiate Churches, Prebendaries, Canons, Vicars, Peti-cans, Singing-men, and all others of the Foundation, shall receive the Communion four times yearly at the least.

Surplices and Hoods to be worn in Cathedral Churches when there is no Communion.

IN the time of Divine service, and Prayers in all Cathedral and Collegiate Churches, when there is no Communion, it shall be sufficient to wear Surplices: saving that all Deans, Masters, or Heads of Collegiate Churches, Canons, and Prebendaries being Graduates, shall dayly at the times both

of Prayer, and Preaching, wear with their Surplices such Hoods as are agreeable to their degrees.

X X V I.

Notorious offenders not to be admitted to the Communion.

NO Minister shall in any wise admit to the receiving of the holy Communion, any of his Cure or Flock which be openly known to live in sin notorious, without Repentance. Nor any who have maliciously, and openly contended with their neighbours, untill they shall be reconciled: Nor any Church-wardens or Side-men, who, having taken their oaths to present to their Ordinaries all such publick offences as they are particularly charged to enquire of their severall Parishes, shall (notwithstanding their said oaths, and that their faithful discharging of them, as the cheif means whereby publick sin, and offences, may be reformed, and punished) wittingly, and willingly, desperately, and irreligiously incur the horrible crime of Perjury, either in neglecting or in refusing to present such of the said enormities, and publick offences, as they know themselves to be committed in the said Parishes, or are notoriously offensive to the Congregation there: although they be urged by some of their neighbours, or by their Minister, or by their Ordinary himself, to discharge their consciences by presenting of them, and not to incur so desperately the said horrible sin of Perjury.

Schismatics not to be admitted to the Communion.

NO Minister, when he celebrateth the Communion, shall wittingly administer the same to any but to such as kneel, under pain of suspension, nor under the like pain to any that refuse to be present at publick Prayers, according to the Orders of the Church of *England*, nor to any that are common and notorious depravers of the Book of Common-prayer, and administration of the Sacraments, and of the Orders, Rites, and Ceremonies therein prescribed, or of any thing that is contained in any of the Articles agreed upon in the Convocation 1562. or of any thing contained in the Book of ordering Priests and Bishops, or to any that have spoken against, and depraved his Majesties Sovereign Authority in causes Ecclesiastical: Except every such person shall first acknowledge to the Minister, before the Church-wardens, his Repentance for the same, and promise by word (if he cannot write) that he will do so no more, and (except if he can write) he shall first do the same under his handwriting, to be delivered to the Minister, and by him sent to the Bishop of the Diocess, or Ordinary of the place. Provided that every Minister so repelling any (as is specified either in this or the next precedent Constitution) shall upon complaint, or being required by the Ordinary, signifie the cause thereof unto him, and therein obey his order, and direction.

XXVIII.

Strangers are not to be admitted to the Communion.

THe Church-wardens or Quest-men, & their Assistants shall mark, as well as the Minister, whether all and every of the Parishioners, come so often every year to the holy Communion as the Laws, and our Constitutions do require: And whether any strangers come often, and commonly from other Parishes to their Church, and shall shew their Minister of them, lest perhaps they be admitted to the Lords Table amongst others; which they shall forbid, and remit such home to their own Parish Churches, and Ministers, there to receive the Communion with the rest of their own neighbours.

XXIX.

Fathers not to be Godfathers in Baptism, nor children not Communicants.

NO Parent shall be urged to be present, nor be admitted to answer as Godfather for his own child: nor any God-father or God-mother shall be suffered to make any other answer, or speech, than by the Book of Common Prayer is prescribed in that behalf. Neither shall any person be admitted God-father or God-mother to any child at christning or confirmation, before the said person so undertaking hath received the holy Communion.

XXX.

The lawfull use of the Cross in Baptism explained.

WEe are sorry that his Majesties most Princely care, and pains taken in the conference at Hampton Court

amongst many other points, touching this one of the Croſs in Baptiſm, hath taken no better effect with many; but that ſtill the uſe of it in Baptiſm is ſo greatly ſtuck at, & impugned. For the further declaration therefore of the true uſe of this ceremony, and for the removing of all ſuch ſcruple as might any way trouble the conſciences of them who are indeed rightly religious, following the royal ſteps of our moſt worthy King, becauſe he therein followeth the Rules of the Scriptures, and the practice of the *Primitive Church*: we do commend to all the true members of the Church of *England*, theſe our directions, and obſervations enſuing.

Fiſt, it is to be obſerved, that although the *Jews*, and *Eth-nicks* derided both the Apoſtles, and the reſt of the Chriſtians for preaching, and believing in him who was crucified upon the Croſs: yet all, both Apoſtles, and Chriſtians were ſo far from being diſcouraged from their profeſſion by the ignominy of the croſs, as they rather rejoyced, and triumphed in it. Yea, the Holy Ghoſt by the mouths of the Apoſtles did honour the name of the croſs (being hateful among the *Jews*) ſo far, that under it he comprehended not only Chriſt crucified, but the force, effect, and merits of his death, and Paſſion, with all the comforts, fruits, and promiſes which we receive or expect thereby.

Secondly, the honour, and dignity of the name of the croſs begat a reverend eſtimation even in the Apoſtles times (for ought that is known to the contrary) of the ſign of the croſs,

which the Christians shortly after used in all their actions, thereby making an outward shew, and profession even to the astonishment of the *Jews*, that they were not ashamed to acknowledge him for their Lord, and Saviour, who dyed for them upon the cross. And this sign they did not only use themselves with a kind of glory, when they met with any *Jews*, but signed therewith their children when they were Christened, to dedicate them by that badge to his service, whose benefits bestowed upon them in Baptism, the name of the Cross did represent. And this use of the sign of the cross in Baptism was held in the *Primitive Church*, as well by the Greeks as the Latines, with one consent, and great applause. At what time, if any had opposed themselves against it, they would certainly have been censured as enemies of the name of the cross, and consequently of Christ's merits, the sign whereof they could no better indure. This continual, and general use of the sign of the cross, is evident by many testimonies of the antient Fathers.

Thirdly, it must be confessed, that in process of time, the sign of the cross was greatly abused in the Church of *Rome*, especially after that corruption of Popery had once possessed it. But the abuse of a thing doth not take away the lawfull use of it. Nay, so far was it from the purpose of the Church of *England*, to forsake, and reject the Churches of *Italy*, *France*, *Spain*, *Germany*, or any such like Churches, in all things which they held, and practised, that as the Apology of the Church

of *England* confesseth, it doth with reverence retain those ceremonies which do neither endamage the Church of God, nor offend the minds of sober men: and onely departed from them in those particular points, wherein they were fallen both from themselves in their antient integrity, and from the Apostolical Churches which were their first founders. In which respect, amongst some other very ancient ceremonies, the sign of the cross in Baptism hath been retained in this Church, both by the judgment, and practice of those reverend Fathers, and great Divines, in the days of King *Edward* the sixth, of whom some constantly suffered for the profession of the truth: and others being exil'd in the time of *Queen Mary*, did after their return, in the beginning of the Reign of our late dread Sovereign, continually defend, and use the same. This resolution, and practice of our Church hath been allowed, and approved by the censure upon the Communion Book in King *Edward* the sixth his days, and by the harmony of confession of later years: because indeed, the use of this sign in Baptism, was ever accompanied here with such sufficient cautions, and exceptions against all Popish superstition and error, as in the like cases are either fit or convenient.

First, the Church of *England*, since the abolishing of Popery, hath ever held, and taught, and so doth hold and teach still, that the sign of the cross used in Baptism, is no part of the substance of that Sacrament For when the Minister dipping the Infant in Water, or laying Water upon the face of it

(as the manner also is) hath pronounced these words, *I baptize thee in the Name of the Father, and of the Son, and of the holy Ghost*, the infant is fully and perfectly baptized. So as the sign of the cross being afterwards used, doth neither add any thing to the vertue & perfection of Baptism, nor being omitted, doth detract any thing from the effect and substance of it.

Secondly, it is apparent in the Communion Book, that the Infant baptized is by vertue of Baptism, before it be signed with the sign of the cross, received into the Congregation of Christ's flock as a perfect member thereof, and not by any power ascribed unto the sign of the cross. So that the very remembrance of the cross: which is very precious to all them that rightly believe in *Jesu Christ*, and in the other respects mentioned, the Church of *England* hath retained still the sign of it in Baptism: following therein the Primitive and Apostolical Churches, and accounting it a lawful outward ceremony, and honourable badge, whereby the Infant is dedicated to the service of him that died upon the cross, as by the words used in the Book of Common Prayer, it may appear.

Lastly, the use of the sign of the cross in Baptism, being thus purged from all Popish superstition, and error, and reduced to the Church of *England*, in the primary Institution of it, upon those true Rules of Doctrine concerning things indifferent, which are consonant to the Word of God, and the judgments of all the antient Fathers: We hold it the part

of every private man, both Minister and other, reverently to retain the true use of it prescribed by publick Authority; considering that things of themselves indifferent, do in some sort alter their natures, when they are either commanded or forbidden by a lawful Magistrate: and may not be omitted at every man's pleasure contrary to the Law, when they be commanded, nor used when they are prohibited.

Ministers, their Ordination,
Function, and Charge.

XXXI.

Four solemn times appointed for the making of Ministers:

INASMUCH as the antient Fathers of the Church, led by example of the Apostles, appointed Prayers and Fasts to be used at the solemn ordering of Ministers; and to that purpose allotted certain times, in which only sacred Orders might be given or conferred: We, following their holy and Religious example, do constitute, and decree, That no Deacons or Ministers be made or ordained; but only upon the Sundays immediately following *Fejunia quatuor temporum*, commonly called Ember weeks, appointed in antient time for Prayer and Fasting (purposely for this cause, at their first Institution) and so continued at this day in the Church of *England*; and that this be done in the Cathedral or Parish Church where the Bishop resideth, and in the time of Divine Service, in the presence not only of the Arch-

deacon, but of the Dean, and two Prebendaries at the least, or (if they shall happen by any lawful cause to be let or hindred) in the presence of four other grave Parsons, being masters of Arts at the least, & allowed for publick Preachers.

XXXII.

None to be made Deacon and Minister both in one day.

THe Office of a Deacon being a step or degree to the Ministry, according to the judgment of the antient Fathers, and the practice of the *Primitive Church*: We do ordain, and appoint, that hereafter no Bishop shall make any person, of what qualities soever, a Deacon, and a Minister both together upon one day: but that the order in that behalf prescribed in the Book of making, and consecrating Bishops, Priests, and Deacons, be strictly observed. Not that always every Deacon should be kept from the Ministry for a whole year, when the Bishop shall find good cause to the contrary: but that there being now four times appointed in every year for the ordination of Deacons, and Ministers, there may ever be some time of triall for their behaviour in the office of Deacon, before they be admitted to the order of Priesthood.

XXXIII.

The Titles of such as are to be made Ministers.

IT hath been long since provided by many decrees of antient Fathers, That none should be admitted either Deacon or Priest, who had not first some certain place where he

might use his Function. According to which examples we do ordain, that henceforth no person shall be admitted into sacred Orders, except he shall at that time exhibit to the Bishop, of whom he desireth Imposition of hands, a presentation of himself to some Ecclesiastical preferment then void in that Diocese, or shall bring to the said Bishop a true, and undoubted certificate, that either he is provided of some Church within the said Diocese, where he may attend the cure of souls, or of some Ministers place vacant, either in the Cathedral Church of that Diocese, or in some other Collegiate Church therein also situate, where he may execute his Ministry: or that he is a Fellow, or in right as a Fellow, or to be a Conductor or Chaplain in some College in *Cambridge*, or *Oxford*: except he be a Master of Arts of five years standing, that liveth of his own charge in either of the Universities; or except by the Bishop himself, that doth ordain him Minister, to be shortly after to be admitted either to some Benefice or Curate-ship then void. And if any Bishop shall admit any person into the Ministry that hath none of these titles as is aforesaid, then he shall keep and maintain him with all things necessary, till he do prefer him to some Ecclesiastical living. And if the said Bishop shall refuse so to do, he shall be suspended by the Archbishop, being assisted with another Bishop, from giving of Orders by the space of a year.

XXXIV.

The quality of such as are to be made Ministers.

NO Bishop shall henceforth admit any person into sacred Orders, which is not of his own Diocess, except he be either of one of the Universities of this Realm, or except he shall bring letters Dimissory (so tearmed) from the Bishop of whose Diocess he is, and desiring to be a Deacon, is three and twenty years old, and to be a Priest four and twenty years compleat, and hath taken some degree in School in either of the said Universities, or at the least, except he be able to yield an account of his faith in Latin, according to the Articles of Religion approved in the Synod of the Bishops, and Clergy of this Realm 1562, and to confirm the same by sufficient testimonies out of the holy Scriptures; and except moreover, he shall then exhibit letters Testimonial of his good life, and conversation under the Seal of some Colledge in *Cambridge* or *Oxford*, where before he remained, or of three or four grave Ministers together with the subscription, and testimony of other credible persons, who have known his life, and behaviour by the space of three years next before.

XXXV.

The examination of such as are to be made Ministers.

THe Bishop, before he admit any person to holy Orders, shall diligently examine him in the presence of those Ministers that shall assist him at the Imposition of hands. And if the said Bishop have any lawful impediment, he shall

cause the said Ministers carefully to examine every such person so to be ordered. Provided that they who shall assist the Bishop in examining, and laying on of hands, shall be of his Cathedral Church, if they may conveniently be had, or other sufficient Preachers of the same Diocess, to the number of three at the least. And if any Bishop or Suffragan shall admit any to sacred Orders who is not so qualified, and examined as before we have ordained, the Archbishop of this Province having notice thereof, and being assisted therein by one Bishop, shall suspend the said Bishop, or Suffragan, so offending, from making either Deacons or Priests for the space of two years.

X X X V I.

Subscription required of such as are to be made Ministers.

NO person shall hereafter be received into the Ministry nor either by Institution or Collation admitted to any Ecclesiastical living, nor suffered to Preach, to Catechize, or to be a Lecturer, or Reader of Divinity in either University, or in any Cathedral or Collegiat Church, City or Market Town, Parish Church, Chapel, or in any other place within this Realm, except he be licensed either by the Archbishop, or by the Bishop of the Diocess, (where he is to be placed) under their hands, and Seals, or by one of the two Universities under their Seal likewise, and except he shall first subscribe to these three Articles following, in such manner and sort as we have here appointed.

1. That the King's Majesty under God, is the onely Supreme Governour of this Realm, and of all other his Highness Dominions, and Countries, aswell in all spiritual or Ecclesiastical things or causes, as Temporal : and that no forein Prince, Person, Prelate, State, or Potentate, have or ought to have any Jurisdiction, Power, Superiority, Preeminence, or Authority Ecclesiastical or spiritual, within his Majesties said Realms, Dominions, and Countries.

2. That the Book of Common-Prayer, and of ordering of Bishops, Priests, and Deacons, containeth in it nothing contrary to the Word of God, and that it may lawfully be used, and that he himself will use the form in the same book prescribed in publick Prayer, and Administration of the Sacraments, and none other.

3. That he alloweth the book of Articles of Religion agreed upon by the Archbishops, and Bishops of both Provinces, and the whole Clergy in the Convocation holden at *London* in the year of our Lord God, one thousand five hundred sixty and two : and that he acknowledgeth all and every the Articles therein contained, being in number nine and thirty, besides the ratification, to be agreeable to the Word of God.

To these three Articles whosoever will subscribe, he shall for the avoiding of all ambiguities subscribe in this order, and form of words, setting down both his Christen, and Surname, viz. *I N.N. do willingly, and ex animo, subscribe to these*

three Articles above mentioned, and to all things that are contained in them. And if any Bishop shall ordain, admit, or license any as is aforesaid, except he first have subscribed, in manner, and form, as here we have appointed, he shall be suspended for giving of Orders, and Licences to preach for the space of twelve moneths. But if either of the Universities shall offend therein, we leave them to the danger of the Law, and his Majesties Censure.

XXXVII.

Subscription before the Diocesan.

NOne licensed, as is aforesaid, to preach, read, Lecture, or Catechize, comming to reside in any Diocess, shall be permitted there to Preach, Read, Lecture, Catechize, or minister the Sacrament, or to execute any other Ecclesiastical Function (by what authority soever he be thereunto admitted) unless he first consent, and subscribe to the three Articles before mentioned, in the presence of the Bishop of the Diocess wherein he is to Preach, Read, Lecture, Catechize or administer the Sacraments, as aforesaid,

XXXVIII.

Revolters after Subscription censured.

IF any Minister, after he hath once subscribed to the said three Articles, shall omit to use the form of Prayer, or any of the Orders or Ceremonies prescribed in the Communion-book, let him be suspended: and if after a month he do not reform, and submit himself, let him be.

excommunicated: and then if he shall not submit himself within the space of another month, let him be deposed from the Ministry.

XXXIX.

Cautions for Institution of Ministers into Benefices.

NO Bishop shall institute any to a Benefice, who hath been ordained by any other Bishop, except he first shew unto him his Letters of Orders, and bring him a sufficient testimony of his former good life, and behaviour, if the Bishop shall require it: and lastly shall appear upon the due examination, to be worthy of his Ministry.

XL.

An Oath against Symony at Institution into Benefices.

TO avoid the detestable sinne of Symonie, because buying, and selling of Spiritual, and Ecclesiastical Functions, Offices, Promotions, Dignities, and Livings, is execrable before GOD, therefore the Archbishop, and all, and every Bishop or Bishops, or any other person or persons, having authority to Admit, Institute, Collate, Install, or to confirm the Election of any Archbishop, Bishop, or other Person or Persons, to any Spiritual or Ecclesiastical Function, Dignity, Promotion, Title, Office, Jurisdiction, Place, or Benefice with Cure or without Cure, or to any Ecclesiastical Living whatsoever, shall before every such Admission, Institution, Col-

lation, Installation or Confirmation of Election, respectively minister to every person hereafter to be Admitted, Instituted, Collated, Installed, or confirmed in or to any Archbishoprick, Bishoprick or other Spiritual or Ecclesiastical Function Dignity, Promotion, Title, Office, Jurisdiction, Place, or Benefice with Cure or without Cure; or in any Ecclesiastical living whatsoever, this Oath in manner, and form, following, the same to be taken by every one whom it concerneth, in his own person, and not by a Proctor: *I N.N. do swear, that I have made no Symonical payment, contract or promise, directly or indirectly, by myself or by any other to my knowledge, or with my consent, to any person or persons whatsoever, for or concerning the procuring, & obtaining of this Ecclesiastical Dignity, Place, Preferment, Office, or Living, (respectively, and particularly naming the same whereunto he is to be Admitted, Instituted, Collated, Installed, or Confirmed) nor will at any time hereafter perform or satisfy any such kind of payment, contract or promise, made by any other without my knowledge or consent: So help me God, through Jesus Christ.*

X L I.

Licences for Plurality of Benefices limited, and Residence enjoyned.

NO Licence or dispensation for the keeping of more Benefices with Cure than one, shall be granted to any, but such only as shall be thought very well worthy of his learning, and very well able, and sufficient to discharge his duty, that is, who shall have taken the degree of a Master of Arts at the least in

one of the Universities of this Realm, and be a publick, and sufficient Preacher licensed. Provided alwaies that he be by a good, and sufficient caution bound to make his personall Residence in each his said Benefices, for some reasonable time in every year; and that the said Benefices be not more than thirty miles distant asunder: and lastly, that he have under him in the Benefice where he doth not reside, a Preacher lawfully allowed, that is able sufficiently to teach and instruct the people.

XLII

Residence of Deans in their Churches.

EVERY Dean, Master, or Warden, or chief Governor of any Cathedral or Collegiat Church, shall be resident in his said Cathedral or Collegiat Church fourscore and ten days *Conjunctim* or *Disjunctim* in every year at the least, and then shall continue there in preaching the Word of God, and keeping good hospitality, except he shall be otherwise let with weighty, and urgent causes to be approved by the Bishop of the Diocese, or in any other lawful sort dispended with. And when he is present, he, with the rest of the Canons or Prebendaries resident, shall take special care, that the Statutes, and laudable customs of their Church, (not being contrary to the Word of God, or prerogative Royal) the statutes of this Realm being in force concerning Ecclesiastical Orders, and all other Constitutions now set forth, and confirmed by his Majesties Authority, and such as shall be lawfully enjoyned by the

Bishop of the Diocess in his Visitation according to the Statutes, and customs of the same Church, or the Ecclesiastical Laws of this Realm, be diligently observed, and that the Pety Canons, Vicars choral, and other Ministers of their Church, be urged to the study of the holy Scriptures : and every one of them to have the New Testament not onely in English, but also in Latin.

XLIII.

Deans, Prebendaries to preach during their Residence.

THe Dean, Master, Warden, or chief Governour, Prebendaries, and Canons in every Cathedral, and Collegiat Church, shall not onely preach there in their own persons so often as they are bound by Law, Statute, Ordinances, or Custom ; but shall likewise preach in other Churches of the same Diocess where they are resident, and especially in those places whence they or their Church receive any yearly rents or profits : And in case they themselvs be sick, or lawfully absent, they shall substitute such licenced Preachers to supply their turns, as by the Bishop of the Diocess shall be thought meet to preach in Cathedral Churches. And if any otherwise neglect or omit to supply his course, as is aforesaid the offender shall be punished by the Bishop, or by him or them to whom the Jurisdiction of that Church appertaineth, according to the quality of the offence.

XLIV.

Prebendaries to be Resident upon their Benefices.

NO Prebendaries nor Canons, in Cathedral or Collegiat Churches, having one or more Benefices with Cure (and not being Residentiaries in the same Cathedral or Collegiat Churches) shall, under colour of the said Prebends, absent themselves from their Benefices with Cure, above the space of one whole month in the year, unless it be for some urgent cause, and certain time, to be allowed by the Bishop of the Diocess. And such of the said Canons, and Prebendaries, as by the Ordinances of the said Cathedral or Collegiat Churches do stand bound to be resident in the same, shall so among themselves sort, and proportion the times of the year, concerning residence to be kept in the said Churches, as that some of them alwaies shall be personally resident there: and that all those who be, or shall be, Residentiaries in any Cathedral or Collegiat Churches, shall, after the days of their Residency appointed by their locall Statutes and Customs expir'd, presently repair to their Benefices, or some one of them, or to some other charge where the Law requireth their presence, there to discharge their duties according to the Laws in that case provided. And the Bishop of the Diocess shall see the same to be duly performed, and put in execution.

Beneficed Preachers, being resident upon their Livings, to preach every Sunday.

EVery Beneficed man allowed to be a Preacher, and residing on his Benefice, having no lawful impediment, shall, in his own Cure, or in some other Church or Chapel, where he may conveniently neer adjoining (where no Preacher is) preach one Sermon every Sunday of the year, wherein he shall soberly, and sincerely divide the Word of truth to the glory of God, and to the best edification of the people.

XLVI.

Beneficed men, not Preachers, to procure monthly Sermons.

EVery beneficed man not allowed to be a Preacher, shall procure Sermons to be preached in his Cure once in every month, at the least, by Preachers lawfully licensed, if his Living in the judgment of the Ordinary, will be able to bear it. And upon every Sunday, when there shall not be a Sermon preached in his Cure, he or his Curate shall read some one of the Homilies prescribed, or to be prescribed by authority, to the intents aforesaid.

XLVII.

Absence of Beneficed men to be supplied by Curats that are allowed Preachers.

EVery Beneficed man, licensed by the Laws of this Realm, upon urgent occasions of other service not to reside up-

on his Benefice, shall cause his Cure to be supplied by a Curate that is a sufficient, and licensed Preacher, if the worth of the Benefice will bear it. But whosoever hath two Benefices, shall maintain a Preacher licensed, in the Benefice where he doth not reside, except he Preach himself at both of them usually.

XLVIII.

None to be Curats but allowed by the Bishop.

NO Curat or Minister shall be permitted to serve in any place, without Examination, and admission of the Bishop of the Diocess, or Ordinary of that place, having Episcopal Jurisdiction, in writing under his hand and seal, having respect to the greatness of the Cure, and meetness of the party. And the said Curats, and Ministers, if they remove from one Diocess to another, shall not be by any means admitted to serve without testimony of the Bishop of the Diocess, or Ordinary of the place, as aforesaid, whence they came, in writing, of their honesty, ability, and conformity to the Ecclesiastical Laws of the Church of *England*. Nor any shall serve more than one Church or Chapel upon one day, except that Chapel be a member of the Parish Church, or united thereunto: and unless the said Church or Chapel where such a Minister shall serve in two places, be not able, in the judgment of the Bishop or Ordinary, as aforesaid, to maintain a Curat.

Ministers not allowed preachers, may not expound.

NO person whatsoever, not examined and approved by the Bishop of the Diocess, or not licensed, as is aforesaid, for a sufficient or convenient Preacher, shall take upon him to expound in his own Cure, or elsewhere, any Scripture, or matter, or doctrine, but shall onely study to read plainly, and aptly (without glozing or adding) the *Homilies* already set forth, or hereafter to be published by lawful Authority, for the confirmation of the true Faith, and for the good instruction, and edification of the people.

L.

Strangers not admitted to preach without shewing their Licence.

NEither the Minister, Church-wardens, nor any other officers of the Church, shall suffer any man to preach within their Churches or Chapels, but such as by shewing their Licence to preach, shall appear unto them to be sufficiently authorized thereunto, as is aforesaid.

L I.

Strangers not admitted to preach in Cathedral Churches without sufficient authority.

THe Deans, Presidents, and Residentiaries of any Cathedral or Collegiat Church, shall suffer no stranger to preach unto the people in their Churches, except they be allowed by the Arch-Bishop of the Province, or by the Bishop of the same Diocess, or by either of the Universities.

And if any in his Sermon shall publish any doctrine, either strange or disagreeing from the Word of God, or from any of the Articles of Religion agreed upon in the Convocation house, *Anno* 1562. or from the book of Common-Prayer, the Dean or the Residents shall by their Letters subscribed with some of their hands that heard him, so soon as may be, give notice of the same to the Bishop of the Diocese, that he may determine the matter, and take such order therein as he shall think convenient.

LII.

The names of strange Preachers to be noted in a book.

THat the Bishop may understand (if occasion so require) what Sermons are made in every Church of his Diocese, and who presume to preach without licence, the Churchwardens, and Side-men shall see that the names of all preachers which come to their Church from any other place, be noted in a book, which they shall have ready for that purpose: wherein every preacher shall subscribe his name, the day when he preached, and the name of the Bishop of whom he had licence to preach.

LIII.

No publick opposition between Preachers.

IF any Preacher shall in the Pulpit particularly, or namely of purpose, impugn or confute any doctrine delivered by any other Preacher in the same Church, or in any Church neer adjoyning, before he hath acquainted the Bishop of

the Diocess therewith, and recieved order from him what to do in that case, because upon such publick dissenting, and contradicting, there may grow such offence, and disquietness unto the people: the Church-wardens, or party grieved, shall forthwith signifie the same to the said Bishop, and not to suffer the said Preacher any more to occupy that place which he hath once abused, except he faithfully promise to forbear all such matter of contention in the Church, untill the Bishop hath taken further order therein, who shall with all convenient speed so proceed therein, that publick satisfaction may be made in the congregation where the offence was given. Provided, that if either of the parties offending do appeal, he shall not be suffered *pendente lite*.

L I V.

The Licences of Preachers refusing Conformity, to be void.

IF any man licensed heretofore to preach, by any Archbishop, Bishop, or by either of the Universities, shall at any time from henceforth refuse to conform himself to the Laws, Ordinances, and Rites Ecclesiastical, established in the Church of *England*, he shall be admonished by the Bishop of the Diocess, or Ordinary of the place, to submit himself to the use, and due exercise of the same. And if after such admonition, he do not conform himself, within the space of one month, We determine, and decree, that the Licence of every such Preacher shall thereupon be utterly void, and of none effect.

The form of a Prayer to be used by Preachers before their Sermon.

BEfore all Sermons, Lectures, and Homilies, Preachers, and Ministers shall move the people to joyn with them in prayer in this form, or to this effect, as briefly as conveniently they may. Ye shall pray for Christ's holy Catholick Church, that is, for the whole Congregation of Christian people dispersed throughout the whole world, and especially for the Churches of *England, Scotland, and Ireland*. And herein I require you most especially to pray for the Kings most excellent Majesty our Sovereign Lord *CHARLES*, King of *England, Scotland, France, and Ireland*, Defender of the faith, and Supreme Governour in these his Realms, and all other his Dominions, and Countrys, over all persons, in all causes aswell Ecclesiastical as temporal. Ye shall also pray for our gracious Queen *KATHERINE*, Mary the Queen mother, the Illustrious Prince *JAMES* Duke of *York*, and all the Royal Family. Ye shall also pray for the Ministers of Gods holy Word, and Sacraments, aswell Archbishops, and Bishops, as other Pastors, and Curats. Ye shall also pray for the Kings most honourable Council, and for all the Nobility, and Magistrates of this Realm, that all, and every of these in their severall callings, may serve truely, and painfully to the glory of God, and the edifying, and well governing of his people, remembring the account that they must make. Also ye shall pray for the whole Commons of this Realm, that they may live in true faith, and fear of God.

in humble obedience to the King, and brotherly charity one to another. Finally, let us praise God for all those which are departed out of this life in the faith of Christ, and pray unto God that we may have grace to direct our lives after their good example : that this life ended, we may be made partakers with them of the glorious Resurrection in the life everlasting. Always concluding with the Lords Prayer.

LVI.

Preachers, and Lecturers to read Divine Service, and administer the Sacrament twice a year at the least.

EVery Minister being possessed of a Benefice that hath cure, and charge of souls, although he chiefly attend to preaching, and hath a Curat under him to execute the other duties which are to be performed for him in the Church, and likewise every other stipendary Preacher that readeth any Lecture, or Catechizeth, or preacheth in any Church or Chapel, shall twice at the least every year read himself the Divine Service, upon two severall Sundays publickly, and at the usual times, both in the forenoon and afternoon, in the Church which he so possesseth, or where he Readeth, Catechizeth, or Preacheth, as is aforesaid, and shall likewise as often in every year administer the Sacraments of Baptism (if there be any to be baptized) and of the Lords Supper, in such manner, and form, and with the observation of all such rites and ceremonies as are prescribed in the Book of Common-Prayer in that behalf : which if he do not accordingly per-

form, then shall he that is possessed of a Benefice (as before) be suspended : and he that is but a Reader, Preacher, or Catechizer, be removed from his place by the Bishop of the Diocese, until he or they shall submit themselves to perform all the said duties, in such manner, & sort as before is prescribed.

LVII.

The Sacraments not to be refused at the hands of unpreaching Ministers.

WHereas divers persons seduced by false teachers, do refuse to have their children baptized by a Minister that is no preacher, and to receive the holy Communion at his hands in the same respect, as though the vertue of those Sacraments did depend upon his ability to preach : Forasmuch as the doctrine both of Baptism, and of the Lords Supper is sufficiently set down in the Book of Common prayer to be used at the administration of the Sacraments, as nothing can be added unto it that is material, and necessary : We do require, and charge every such person seduced as aforesaid, to reform that their wilfulness, and to submit himself to the order of the Church in that behalf, both the said Sacraments being equally effectual, whether they be ministred by a Minister that is no preacher, or by one that is a preacher. And if any hereafter shall offend herein, or leave their own Parish Churches in that respect, and communicate or cause their children to be baptized in other Parishes abroad, and will not be moved thereby to reform that their error, and un-

lawful course: let them be presented to the Ordinary of the place by the Minister, Church-wardens, and Side-men or Quest-men of the Parishes where they dwell, and there receive such punishment by Ecclesiastical censures, as such obstinacy doth worthily deserve: that is, Let them (persisting in their wilfulness) be suspended, and then after a months further obstinacy, Excommunicated. And likewise if any Parson, Vicar, or Curat, shall after the publishing hereof, either receive to the Communion any such persons which are not of his own Church, and Parish, or shall baptize any of their children, thereby strengthening them in their said errors: Let him be suspended, & not be released thereof, until he do faithfully promise, that he will not afterwards offend therein.

LVIII.

Ministers reading Divine Service, and administering the Sacraments, to wear Surplices, and Graduats, therewithall Hoods.

EVery Minister saying the publick prayers, or ministring the Sacraments or other Rites of the Church, shall wear a decent, & comely Surplice with sleeves, to be provided at the charge of the Parish. And if any question arise touching the matter, decency, or comeliness thereof, the same shall be decided by the discretion of the Ordinary. Furthermore such Ministers as are Graduats, shall wear upon their Surplices at such time, such Hoods as by the orders of the Universities are agreeable to their degrees, which no Minister shall wear (being no Graduat) under pain of suspension. Notwith-

standing it shall be lawful for such Ministers as are not Graduates, to wear upon their Surplices, instead of Hoods, some decent Tippet of black, so it be not Silk.

LIX.

Ministers to Catechize every Sunday.

EVery Parson, Vicar, or Curat, upon every Sunday, and Holy-day before Evening Prayer, shall, for half an hour or more, examine, and instruct the youth, and ignorant persons of his Parish in the ten Commandements, the Articles of the Belief, and in the Lords Prayer : and shall diligently hear, instruct, and teach them the Catechism set forth in the Book of Common Prayer. And all Fathers, Mothers, Masters and Mistresses, shall cause their Children, Servants, and Apprentices which have not learned the Catechism, to come to the Church at the time appointed, obediently to hear, and to be ordered by the Minister, until they have learned the same. And if any Minister neglect his duty herein, let him be sharply reprov'd upon the first complaint, and true notice thereof given to the Bishop or Ordinary of the place. If after submitting himself, he shall wilfully offend therein again, let him be suspended. If so the third time, there being little hope that he will be therein reformed, then excommunicated, and so remain until he will be reformed. And likewise if any of the said Fathers, Mothers, Masters, or Mistresses, Children, Servants or Apprentices, shall neglect their duties, as the one sort, in not causing them to come, and the other, in refu-

ling to learn, as aforesaid, Let them be suspended by the Ordinaries, (if they be not children) and if they so persist by the space of a month, then let them be Excommunicated.

L X

Confirmation to be performed once in three years.

FOrasmuch as it hath been a solemn, antient, and laudable custom in the Church of God, continued from the Apostles time, that all Bishops should lay their hands upon children baptized, and instructed in the Catechism of Christian Religion, praying over them, and blessing them: which we commonly call *Confirmation*: and that this holy action hath been accustomed in the Church in former ages, to be performed in the Bishops Visitation, every third year: We will and appoint, that every Bishop, or the Suffragan in his accustomed Visitation, do in his own person carefully observe the said custom. And if in that year, by reason of some infirmity, he be not able personally to visit, then he shall not omit the execution of that duty of *Confirmation* the next year after, as he may conveniently..

L X I.

Ministers to prepare children for Confirmation.

EVery minister that hath Cure, and charge of souls, for the better accomplishing of the Orders, prescribed in the book of Common prayer concerning *Confirmation*, shall take such especiall care as that none may be presented to the Bishop for him to lay his hand upon, but such as can render

an account of their faith according to the Catechism in the said Book contained. And when the Bishop shall assign any time for the performance of that part of his duty, every such Minister shall use his best endeavour to prepare, and make able, and likewise to procure as many as lie can to be then brought, and by the Bishop to be confirmed.

L X I I.

Ministers, not to marry any persons without Banes or Licence.

NO Minister upon pain of suspension *per triennium ipso facto*, shall celebrate Matrimony between any persons, without a Faculty or Licence granted by some of the Persons in these our constitutions expressed, except the Banes of Matrimony have been first published three several Sundays or Holy-days in the time of Divine service in the Parish Churches or Chapels where the said parties dwell, according to the book of Common Prayer. Neither shall any Minister, upon the like pain, under any pretence whatsoever, joyn any Persons so licensed in Marriage at any unreasonable times, but onely between the hours of eight and twelve in the forenoon, nor in any private place, but either in the said Churches or Chapels where one of them dwelleth, and likewise in time of Divine Service: nor when Banes are thrice asked (and no Licence in that respect necessary) before the Parents or Governors of the parties to be married being under the age of twenty and one years, shall either personally, or by sufficient testimony, signify to him their consents given

Ministers of exempt Churches, not to Marry without Banes or License.

EVery Minister who shall hereafter celebrate Marriage betwixt any persons contrary to our said Constitutions, or any part of them, under colour of any peculiar Liberty or Priviledge claimed to appertain to certain Churches, and Chapels, shall be suspended, *per triennium*, by the Ordinary of the place where the offence shall be committed. And if any such Minister shall afterwards remove from the place where he hath committed that fault, before he be suspended, as is aforesaid, then shall the Bishop of the Diocese, or Ordinary of the place where he remaineth, upon certificate under the hand and seal of the other Ordinary, from whose jurisdiction he removed, execute that censure upon him.

Ministers solemnly to bid Holy-days.

EVery Parson, Vicar, or Curat, shall in his several charge declare to the people every Sunday at the time appointed in the Communion Book, whether there be any Holy-days or Fasting-days the week following. And if any do hereafter wittingly offend herein, and being once admonished thereof by his Ordinary, shall again omit that duty; let him be censured according to Law, untill he submit himself to the due performance of it.

LXV.

Ministers solemnly to denounce Recusants, and Excommunicants.

ALl Ordinaries shall in their severall Jurisdicktions carefully see, and give order, that aswell those who for obstinate refusing to frequent Divine Service established by publick authority within this Realm of *England*, as those also (especially of the better sort, and condition) who for notorious contumacy, or other notable crimes, stand lawfully excommunicate (unless within three months immediatly after the said sentence of Excommunication pronounced against them, they resolve themselves, and obtain the benefit of Absolution) be every six months ensuing, aswell in the Parish Church, as in the Cathedral Church of the Diocess in which they remain, by the Minister openly in time of Divine Service upon some Sunday, denounced, and declared Excommunicate, that others may be thereby both admonished to refrain their company, and society, and excited the rather to procure out a Writ *De Excommunicato capiendo*, thereby to bring, & reduce them into due order & obedience. Likewise the Register of every Ecclesiastical Court, shall yearly between *Michaelmas*, and *Christmas*, duly certify the Archbishop of the Province, of all, and singular the premises afore said.

LXVI.

Ministers to conferr with Recusants.

EVery Minister being a Preacher, and having any Popish Recusant or Recusants in his Parish, and thought fit by

the Bishop of the Diocese, shall labour diligently with them from time to time, thereby to reclaim them from their errors. And if he be no Preacher, or not such a Preacher, then he shall procure, if he can possibly, some that are Preachers so qualified, to take pains with them for that purpose. If he can procure none, then he shall inform the Bishop of the Diocese thereof, who shall not onely appoint some neighbor Preacher or Preachers adjoyning, to take that labour upon them, but himself also (as his important affairs will permit him) shall use his best endeavour by instruction, persuasion and all good means he can devise, to reclaim both them, and all other within his Diocese so affected.

L X V I I.

Ministers to visit the sick.

WHen any person is dangerously sick in any Parish, the Minister or Curat (having knowledge thereof) shall resort unto him or her, (if the disease be not known or probably suspected to be infectious) to instruct, and comfort them in their distress, according to the order of the Communion book, if he be no Preacher; or if he be a Preacher, then as he shall think most needful, and convenient. And when any is passing out of this life, a Bell shall be tolled, and the Minister shall not then slack to do his last duty. And after the parties death (if it so fall out) there shall be rung no more but one short peal, and one other before the burial, and one other after the buriall,

LXVIII.

Ministers not to refuse to Christen or Bury.

NO Minister shall refuse or delay to christen any Child according to the form of the Book of Common Prayer, that is brought to the Church to him upon Sundayes or Holy-dayes to be christened, or to bury any corps that is brought to the Church or Church-yard (convenient warning being given him thereof before) in such manner, and form as is prescribed in the said book of Common Prayer. And if he shall refuse to Christen the one, or bury the other, except the party deceased were denounced excommunicated *Majori excommunicatione*, for some grievous, and notorious crime, (and no man able to testify of his repentance) he shall be suspended by the Bishop of the Diocess from his Ministry by the space of three months.

LXIX.

Ministers not to deferr Christning, if the child be in danger.

IF any Minister being duly, without any manner of collusion informed of the weaknes, and danger of death, of any Infant unbaptized in his Parish, and thereupon desired to go or come to the place where the said Infant remaineth, to baptize the same, shall either wilfully refuse to do, or of purpose, or of gross negligence, shall so deferr the time, as when he might conveniently have resorted to the place, and have baptized the said Infant, it dieth through such his default unbaptized: the said Minister shall be suspended for

three months, and before his restitution shall acknowledge his fault, and promise before his Ordinary, that he will not wittingly incur the like again. Provided that where there is a Curat or a Substitute, this Constitution shall not extend to the Parson or Vicar himself, but the Curat or Substitute present.

L X X.

Ministers to keep a Register of Christnings, Weddings, and Burials.

IN every Parish Church, and Chapel, within this Realm, shall be provided one parchment Book at the charge of the Parish, wherein shall be written the day and year of every Christning, Wedding, and Burial, which have been in the Parish since the time that the Law was first made in that behalf, so far as the antient Book thereof can be procured, but especially since the beginning of the Reign of the late Queen. And for the safe keeping of the said Book, the Church wardens at the charge of the Parish, shall provide one sure Coffer with three Locks, and Keys, whereof the one to remain with the Minister, and the other two with the Church-wardens severall, so that neither the Minister without the two Church-wardens, nor the Church-wardens without the Minister, shall at any time take that Book out of the said Coffer. And henceforth upon every Sabbath day, immediately after Morning or Evening Prayer, the Minister, and Church-wardens shall take the said Parchment Book out of the said Coffer, and the Minister in the presence of the Church-war-

dens shall write, and record in the said Book, the names of all Persons Christned, together with the names, & surnames of their Parents, and also the names of all persons married, and buried in that Parish, in the week before, and the day, and the year of every such Christning, Marriage, and Buriall : And that done, they shall lay up that Book, in the Coffer as before : and the Minister, and Church-wardens unto every page of that Book, when it shall be filled with such Incriptions, shall subscribe their names. And the Church-wardens shall once every year, within one month after the 25 day of *March*, transmit unto the Bishop of the Diocess, or his Chancellor, a true copy of the names of all Persons Christned, Married, or Buried in their Parish in the year before (ended the said 25 day of *March*) and the certain days, and months in which every such Christning, Marriage, and Burial was had, to be subscribed with the hands of the said Minister, and Church-wardens, to the end, the same may faithfully be preserved in the Registry of the said Bishop, which Certificate shall be received without Fee. And if the Minister or Church-wardens shall be negligent in performance of any thing herein contained, it shall be lawfull for the Bishop or his Chancellor to convent them, and proceed against every of them as contemners of this our Constitution.

LXXI.

Ministers not to Preach or administer the Communion in private houses.

NO Minister shall Preach or administer the holy Communion in any Private house, except it be in times of necessity, when any being either so impotent, as he cannot go to the Church, or very dangerously sick, are desirous to be partakers of that holy Sacrament, under pain of suspension for the first offence, & Excommunication for the second. Provided, that houses are here reputed for private houses, wherein are no Chapels dedicated, and allowed by the Ecclesiastical Laws of this Realm. And provided also under the pain before expressed, that no Chaplains do preach or administer the Communion in any other places, but in the Chapels of the said houses, and that also they do the same very seldom upon Sundays, and Holy-days. So that both the Lords and Masters of the said houses, and their families, shall at other times receive the holy Communion at the least once every year.

LXXII.

Ministers not to appoint publick or private Fasts, or prophesies, or to exercise, but by authority

NO Minister or Ministers, shall, without the Licence and direction of the Bishop of the Diocess first obtained; and had under his hand, and Seal, appoint or keep any solemn Fasts, either publickly or in any private houses, other

than such as by law are or by publick authority shall be appointed, nor shall be wittingly present at any of them, under pain of suspension for the first fault, of Excommunication for the second, and of deposition from the Ministry for the third. Neither shall any Minister not licensed, as is aforesaid, presume to appoint or hold any meetings for Sermons, commonly tearmed by some, Prophecies, or Exercises, in Market Towns or other places, under the said pains: Nor without such Licence to attempt, upon any pretence whatsoever, either of possession or Obsession, by fasting, and prayers to cast out any Devil or Devils, under pain of imputation of Imposture or cozenage, and deposition from the Ministry.

LXXIII.

Ministers not to hold private Conventicles.

FOrasmuch as all Conventicles, and secret meetings of Priests, and Ministers, have been ever justly accounted very hurtful to the state of the Church wherein they live; We do now ordain, and constitute, That no Priests or Ministers of the Word of God, nor any other persons, shall meet together in any private house or elsewhere to consult upon any matter or course to be taken by them, or upon their motion or direction by any other, which may any way tend to the impeaching or depraving of the doctrine of the Church of *England*, or of the book of Common Prayer, or of any part of the government, and Discipline now established in the Church of *England*, under pain of excommunication *ipso facto*.

Decency in apparell enjoyned to Ministers.

THe true, antient, and flourishing Churches of Christ being ever desirous that their Prelacy, and Clergy might be had as well in outward reverence, as otherwise regarded for the worthiness of their Ministry, did think it fit by a pre-script form of decent, and comely Apparell, to have them known to the people, and thereby to receive the honour, and estimation due to the especial Messengers, and Ministers of Almighty God. We therefore following their grave judgment, and the antient Custom of the Church of *England*, and hoping that in time new-fangleness of Apparell in some factious persons will die of it self, do constitute, and appoint, That the Arch-bishops, and Bishops shall not intermit to use the accustomed Apparell of their degrees. Likewise all Deans Masters of Colleges, Arch-deacons, and Prebendaries in Cathedral or Collegiat Churches, (being Priests or Deacons) Doctors in Divinity, Law, and Physick, Bachellors in Divinity, Masters of Arts, and Bachellors of Law, having any Ecclesiastical Living, shall usually wear Gowns with standing collars, and sleeves streight at the hands, or wide sleeves, as is used in the Universities, with Hoods or Tippetts of Silk or Sarcenet, and square Caps. And that all other Ministers, admitted or to be admitted into that Function, shall also usually wear the like Apparell, as is aforesaid, except Tippetts onely. We do further in like manner ordain, that all the said

Ecclesiastical persons above mentioned, shall usually wear in their journies, Cloakes with sleeves, commonly called Priests-Cloakes without guards, welts, long Buttons, or cuts. And no Ecclesiastical persons shall wear any Coife, or wrought Night-cap, but onely plain Night caps of black Silk, Satten, or Velvet. In all which particulars concerning the Apparel here prescribed, our meaning is not to attribute any holiness, or special worthiness to the said garments, but for decency, gravity, and orders, as is before specified. In private houses, and in their Studies, the said persons Ecclesiastical may use any comely, and Scholler-like Apparel. Provided, that it be not cut or pinkt, and that in publick they go not in their Dublet, and Hose, without Coats or Cassocks: and also that they wear not any light coloured Stockings. Likewise poor Beneficed men, and Curats, (not being able to provide themselves long Gowns) may go in short Gowns, of the fashion aforesaid.

L X X V.

Sober conversation required in Ministers.

NO Ecclesiastical persons shall at any time, other than for their honest necessities, resort to any Taverns or Ale houses, neither shall they board or lodge in any such places. Furthermore, they shall not give themselves to any base or servile labour, or to drinking or riot, spending their time idly by day or night, playing at Dice, Cards, or Tables, or any other unlawful game: but at all times convenient, they shall

hear or read somewhat of the holy Scriptures, or shall occupy themselves with some other honest study or exercise, alwaies doing the things which shall appertain to honesty, and endeavouring to profit the Church of God, having always in mind that they ought to excell all others in purity of life, and should be examples to the people to live well, and Christianly, under pain of Ecclesiastical censures to be inflicted with severity, according to the qualities of their offences.

LXXVI.

Ministers at no time to forsake their Calling.

NO man being admitted a Deacon or Minister, shall from thenceforth voluntarily relinquish the same, nor afterward use himself in the course of his life, as a Lay-man, upon pain of Excommunication. And the names of all such men so forsaking their calling, the Church-wardens of the Parish where they dwell, shall present to the Bishop of the Diocess, or to the Ordinary of the place, having Episcopal Jurisdiction.

Schole-Masters.

LXXVII.

None to teach Schole without Licence.



NO man shall teach either in publick Schole, or private house, but such as shall be allowed by the Bishop of the Diocess, or Ordinary of the place under his hand, and Seal, being found meet as well for his

learning, and dexterity in teaching, as for sober and honest conversation, and also for right understanding of Gods true Religion, and also except he shall first subscribe to the first and third Articles afore mentioned simply, and to the two first clauses of the second Article.

LXXVIII.

Curats desirous to teach, to be licensed before others.

IN what Parish Church or Chapel soever there is a Curat which is a Master of Arts, or Bachelor of Arts, or is otherwise well able to teach youth, and will willingly so do, for the better encrease of his Living, and training up of children in principles of true Religion: We will, and ordain, that a Licence to teach youth of the Parish where he serveth, be granted to none by the Ordinary of that place but onely to the said Curat: provided always, that this constitution shall not extend to any Parish or Chapel in Country Towns, where there is a publick Schole founded already: In which case we think it not meet to allow any to teach Grammar, but onely him that is allowed for the said publick Schole.

LXXIX.

The duty of Schole-masters.

ALL Schole-masters shall teach in *English* or *Latin*, as the children are able to bear, the larger, or shorter Catechism heretofore by publick authority set forth. And as often as any Sermon shall be upon Holy, and Festival days, within the Parish where they teach, they shall bring their

Scholars to the Church where such Sermon shall be made, and there see them quietly, and soberly behave themselves, and shall examine them at times convenient after their return what they have born away of such Sermons. Upon other days, and at other times, they shall train them up with such sentences of holy Scripture, as shall be most expedient to induce them to all godliness: and they shall teach the Grammar set forth by King HENRY the eight, and continued in the times of King EDWARD the sixt, and Queen ELIZABETH of noble memory, and none other. And if any Schole-master being licensed, and having subscribed as aforesaid, shall offend in any of the premisses, or either speak, write, or teach against any thing whereunto he hath formerly subscribed (if upon admonition by the Ordinary he do not amend, and reform himself) let him be suspended from teaching Schole any longer.

Things appertaining to Churches.

LXXX.

The great Bible, and Book of Common-Prayer to be had in every Church.



THE Church-wardens or Quest-men of every Church and Chapel, shall at the charge of the Parish, provide the Book of Common Prayer lately explained in some few points by his Majesty's authority according to the Laws and his Highness's

prerogative in that behalf, and that with all convenient speed, but at the furthest within two months after the publishing of these our Constitutions. And if any Parishes be yet unfurnished of the Bible of the largest volume, or of the Books of Homilies allowed by Authority: the said Church-wardens shall within convenient time provide the same at the like charge of the Parish.

LXXXI.

A Font of stone for Baptism in every Church.

According to a former constitution, too much neglected in many places, we appoint, that there shall be a Font of stone in every Church and Chapel where Baptism is to be ministred: the same to be set in the antient usual places. In which only Font the Minister shall baptize publicly.

LXXXII.

A decent Communion Table in every Church.

Whereas we have no doubt but that in all Churches within the Realm of *England*, convenient and decent Tables are provided, and placed, for the celebration of the holy Communion, we appoint that the same Tables shall from time to time be kept, and repaired, in sufficient and seemly manner, and covered in time of Divine Service with a carpet of Silk or other decent stuff thought meet by the Ordinary of the place, if any question be made of it, and with a fair linnen cloth at the time of the ministration as becometh that Table, and so stand, saving when the said holy

Communion is to be administred. At which time the same shall be placed in so good sort within the Church or Chancel, as thereby the Minister may be more conveniently heard of the Communicants in his Prayer, and ministrations, and the Communicants also more conveniently, and in more number may communicate with the said Minister, and that the ten Commandments be set upon the East end of every Church, and Chapel, where the people may best see and read the same, and other chosen Sentences written upon the walls of the said Churches and Chapels, in places convenient, and likewise that a convenient seat be made for the Minister to read Service in. All these to be done at the charge of the Parish.

LXXXIII.

A Pulpit to be provided in every Church.

THe Church-wardens or Quest-men at the common charge of the Parishioners in every Church shall provide a comely & decent Pulpit, to be set in a convenient place within the same, by the discretion of the Ordinary of the place, if any question do arise, and to be there seemly kept for the preaching of Gods Word.

LXXXIV.

A chest for Alms in every Church.

THe Church-wardens shall provide, and have, within three months after the publishing of these Constitutions a strong chest, with an hole in the upper part thereof, to be

provided at the charge of the Parish (if there be none such already provided) having three keys. Of which, one shall remain in the custody of the Parson, Vicar, or Curat, and the other two in the custody of the Church-wardens for the time being, which Chest they shall set and fasten in the most convenient place, to the intent the Parishioners may put into it their Alms for their poor neighbours. And the Parson, Vicar, or Curat, shall diligently from time to time, and especially when men make their Testaments, call upon, exhort and move their neighbours to conferr, and give as they may well spare, to the said chest, declaring unto them, that whereas heretofore they have been diligent to bestow much substance, otherwise than God commanded, upon superstitious uses, now they ought at this time to be much more ready to help the poor, and needy, knowing that to relieve the poor is a sacrifice which pleaseth God; and that also whatsoever is given for their comfort, is given to Christ himself, and is so accepted of him, that he will mercifully reward the same. The which alms, and devotion of the people, the Keepers of the Keys shall yearly, quarterly, or oftner (as need requir-eth) take out of the chest, and distribute the same in the presence of most of the Parish, or six of the chief of them, to be truly, and faithfully delivered to their most poor, and needy neighbours.

Churches to be kept in sufficient reparations.

THe Church-wardens or Questmen shall take care, and provide, that the Churches be well and sufficiently repaired, and so from time to time kept, and maintained, that the Windows be well glazed, and that the Floors be kept paved, plain, and even, and all things there in such an orderly, and decent sort, without dust or any thing that may be either noisome, or unseemly, as becometh the House of God, and is prescribed in an Homily to that effect. The like care they shall take, that the Church-yard be well and sufficiently repaired, fenced and maintained, with Walls, Rails, or Pales, as have been in each place accustomed, at their charges unto whom by Law the same appertaineth: but especially they shall see that in every meeting of the Congregation, peace be well kept, and that all persons Excommunicated, and so denounced, be kept out of the Church.

Churches to be surveyed, and the decays certified to the high Commissioners.

EVery Dean, Dean and Chapter, Arch-deacon, and other which have authority to hold Ecclesiastical Visitations by Composition, Law or prescription, shall survey the Churches of his or their Jurisdiction, once in every three years in his own person, or cause the same to be done, and shall from time to time within the said three years, certify the

high Commissioners for causes Ecclesiastical, every year, of such defects in any the said Churches, as he or they do find to remain unrepaired, and the names, and surnames of the parties faulty therein. Upon which certificate we desire that the said high Commissioners will *ex officio mero* send for such parties, and compell them to obey the just & lawful Decrees of such Ecclesiastical Ordinaries, making such certificates.

LXXXVII.

A Terrier of Glebe-lands, and other possessions belonging to Churches.

WEe ordain that the Arch-bishops, and all Bishops within their severall Diocesses, shall procure (as much as in them lieth) that a true note, and Terrier of all the Glebes, Lands, Medows, Gardens, Orchards, Houses, Stocks, Implements, Tenements, and portions of Tythes lying out of their Parishes, (which belong to any Parsonage, or Vicarage or rurall Prebend,) be taken by the view of honest men in every Parish, by the appointment of the Bishop, whereof the Minister to be one, and be laid up in the Bishops Registry, there to be for a perpetual memory thereof.

LXXXVIII.

Churches not to be prophaned.

THe Church-wardens or Quest-men, and their Assistants shall suffer no Plays, Feasts, Banquets, Suppers, Church-ales, Drinkings, temporal Courts or Leets, Lay-juries, Musters, or any other prophane Usage, to be kept in the Church, Chapel, or Church-yard, neither the Bels to be

rung superstitiously, upon Holy-days or Eves, abrogated by the Book of Common-prayer, nor at any other times, without good cause to be allowed by the Minister of the place, and by themselves.

Church-wardens, or Quest-men, and Side-men, or Assistants.

LXXXIX

The choice of Church-wardens, and their accompt.



LI Church-wardens or Quest-men in every Parish, shall be chosen by the joint consent of the Minister and the Parishioners, if it may be. But if they cannot agree upon such a choice, then the Minister shall choose one, and the Parishioners another: and without such a joint or severall choice, none shall take upon them to be Church-wardens, neither shall they continue any longer than one year in that office, except perhaps they be chosen again in like manner. And all Church-wardens at the end of their year, or within a month after at the most, shall before the Minister and the Parishioners give up a just account of such money as they have received, and also what particularly they have bestowed in reparations, and otherwise for the use of the Church. And last of all going out of their office, they shall truly deliver up to the Parishioners whatsoever money, or other things of right belonging to the Church or Parish, which remain in their hands, that it may be delivered over

by them to the next Church-wardens by Bill indented.

X C.

The choyce of Side-men, and their joynt Office with Church-wardens.

THe Church-wardens or Quest-men of every Parish, and two or three or more discreet persons in every Parish to be chosen for Side-men or Assistants, by the Minister and Parishioners, if they can agree, (otherwise to be appointed by the Ordinary of the Diocess) shall diligently see, that all the Parishioners duely resort to their Church upon all Sundayes, and Holydayes, and there continue the whole time of Divine Service: and none to walk or to stand idle, or talking in the Church, or in the Churchyard, or the Church-porch during that time. And all such as shall be found slack or negligent in resorting to the Church, (having no great, nor urgent cause of absence) they shall earnestly call upon them: and after due monition (if they amend not) they shall present them to the Ordinary of the place. The choyce of which persons, viz. Church-wardens or Quest-men, Side-men or Assistants, shall be yearly made in Easter week.

Constitutions, and
Parish Clerks.

XCI.

Parish Clerks to be chosen by the Minister.



O Parish Clark upon any Vacation shall be chosen within the City of *London*, or elsewhere within the Province of *Canterbury*, but by the Parson or Vicar: or where there is no Parson or Vicar, by the Minister of that place for the time being: Which choyce shall be signified by the sayd Minister, Vicar, or Parson, to the Parishioners the next Sunday following in the time of Divine Service. And the said Clark shall be of twenty years of age at the least: and known to the said Parson, Vicar, or Minister to be of honest conversation, and sufficient for his Reading, Writing, and also for his competent skill in singing (if it may be.) And the said Clerks so chosen shall have and receive their antient wages, without fraud or diminution, either at the hands of the Church-wardens at such times as hath been accustomed, or by their own collection, according to the most antient custom of every Parish.

Ecclesiastical Courts belonging to the
Arch-Bishops Jurisdiction.

XCII.

None to be cited into divers Courts for probate of the same Will.

FOR as much as many heretofore have been by Apparitors, both of inferiour Courts, and of the Courts of the Arch-bishops Prerogative, much distracted, and diversly called and summoned for probate of Wills, or to take administrations of the goods of persons dying intestate, and are thereby vexed and grieved, with many causeless and unnecessary troubles, molestations, and expences: We constitute, and appoint, That all Chancellours, Commissaries, or Officials, or any other exercising Ecclesiastical Jurisdiction whatsoever, shall at the first, charge with an Oath all persons called, or voluntarily appearing before them for the probate of any Will, or the Administration of any goods, whether they know, or (moved by any special inducement) do firmly believe that the party deceased (whose Testament or goods depend now in question) had at the time of his or her death, any goods or good debts in any other Diocess or Diocesses, or Peculiar Jurisdiction within that Province, than in that wherein the said party died, amounting to the value of 5 l. And if the said person cited, or voluntarily appearing before him, shall upon his oath affirm, That he knoweth, or (as aforesaid)

firmly believeth, that the said party deceased had goods or good debts in any other Dioceſs or Dioceſſes, or peculiar Jurisdiction within the said Province, to the value aforeſaid, and particularly ſpecifie and declare the ſame: then ſhall he preſently diſmiſs him, not preſuming to intermeddle with the probate of the ſaid Will, or to grant Adminiſtration of the goods of the party ſo dying inteſtate: neither ſhall he require or exact any other charges of the ſaid parties more than ſuch only as are due for the Citation, and other Proceſs had and uſed againſt the ſaid parties, upon their further contumacy: but ſhall openly, and plainly declare, and profeſs, that the ſaid cauſe belongeth to the Prerogative of the Arch-biſhop of that Province, willing and admoniſhing the party to prove the ſaid Will, or require Adminiſtration of the ſaid goods, in the Court of the ſaid Prerogative, and to exhibit before him the ſaid Judg, the probate or adminiſtration under the Seal of the Prerogative, within fourty daies next following. And if any Chancellor, Commiſſary, Official, or other exerciſing Eccleſiaſtical Jurisdiction whatſoever, or any their Register ſhall offend herein, let him be *ipſo facto* ſuſpended from the execution of his office, not to be abſolved or releaſed, untill he have reſtored to the party all expences by him laid out contrary to the tenour of the premiſſes: and every ſuch probate of any Teſtament or adminiſtration of goods ſo granted, ſhall be held void and fruſtrate to all effects of the Law

whatsoever. Furthermore we charge, and enjoyn, that the Register of every inferiour Judg do, without all difficulty or delay, certifie, and inform the Apparitor of the Prerogative-court, repairing unto him once a moneth, & no oftner, what Executors or Administrators have been by the said Judg, for the incompetency of his own Jurisdiction; dismissed to the said Prerogative Court within the moneth next before, under pain of a moneths suspension from the exercise of his Office for every default therein. Provided, that this Canon, or any thing therein contained, be not prejudicial to any composition between the Archbishop and any Bishop, or other Ordinary, nor to any inferiour Judg that shall grant any probate of Testament, or administration of goods, to any party that shall voluntarily desire it, both out of the said inferiour Court, and also out of the Prerogative. Provided likewise, that if any man die *in itinere*, the goods that he hath about him at that present, shall not cause his Testament or Administration to be liable unto the Prerogative Court.

XCIII.

The Rate of Bona notabilia liable to the Prerogative Court.

Furthermore we decree and ordain, that no Judg of the Archbishops Prerogative shall henceforward cite, or cause to be cited *ex officio* any person whatsoever to any of the aforesaid intents, unless he have knowledge that the party deceased was at the time of his death possessed of

goods & chattels in some other Diocess or Dioceſſes, or peculiar Jurisdiction within that Province than in that wherein he died, amounting to the value of five pounds at the least: decreeing and declaring, that whoſo hath not goods in divers Dioceſſes to the ſaid ſum or value, ſhall not be accounted to have *bona notabilia*. Alwaies provided, that this claufe here, and in the former Conſtitution mentioned, ſhall not prejudice thoſe Dioceſſes where by compoſition or cuſtom *bona notabilia* are rated at a greater ſum. And if any Judge of the Prerogative Court, or any his Surrogate, or his Register, or Apparitor, ſhall cite or cauſe any perſon to be cited into his Court, contrary to the tenor of the premiſſes, he ſhall reſtore to the party ſo cited all his coſts and charges, and the acts and proceedings in that behalf ſhall be held void and fruſtrate. Which expences, if the ſaid Judg, or Register, or Apparitor ſhall reſuſe accordingly to pay, he ſhall be ſuſpended from the exerciſe of his Office, untill he yield to the performance thereof.

XCIV.

None to be cited into the Arches or Audience, but dwellers within the Archbishops Dioceſs or Peculiars.

No Dean of the Arches nor Official of the Archbiſhops Conſiſtory, nor any Judge of the Audience, ſhall henceforward in his own name or in the name of the Archbiſhop, either *ex officio* or at the inſtance of any party, originally cite, ſummon, or any way compel, or procure to be

cited, summoned, or compelled, any person which dwelleth not within the particular Diocess or Peculiar of the said Archbishop, to appear before him or any of them, for any cause or matter whatsoever belonging to Ecclesiastical cognizance, without the licence of the Diocesan first had and obtained in that behalf, other than in such particular cases only as are expressly excepted and reserved in and by a Statute *Ann. 23. H.8. c.9.* And if any of the said Judges shall offend herein, he shall for every such offence be suspended from the exercise of his office for the space of three whole moneths.

XCV.

The Restraint of double Quarrels.

ALbeit by former Constitutions of the Church of *England*, every Bishop hath had two moneths space to enquire and inform himself of the sufficiency and qualities of every Minister, after he hath been presented unto him to be instituted into any Benefice: yet for the avoiding of some inconveniences, we do now abridge and reduce the said two moneths unto eight and twenty daies only. In respect of which abridgment, we do ordain & appoint, that no double Quarrel shall hereafter be granted out of any of the Archbishops Courts at the suit of any Minister whosoever, except he shall first take his personal oath, that the said eight and twenty daies at the least are expired, after he first tendered his presentation to the Bishop, and that he refused to grant

him Institution thereupon : or shall enter bonds with sufficient sureties to prove the same to be true, under pain of suspension of the Granter thereof from the execution of his Office, for half a year *toties quoties* to be denounced by the said Archbishop, and Nullity of the double Quarrel aforesaid, so unduly procured, to all intents and purposes whatsoever. Alwaies provided, that within the said eight and twenty daies, the Bishop shall not institute any other, to the prejudice of the said party before presented, *sub pœna nullitatis*.

XCVI.

Inhibitions not to be granted without the subscription of an Advocate.

THat the Jurisdictions of Bishops may be preserved (as neer as may be) entire and free from prejudice, and that for the behoof of the Subjects of this Land, better provision be made, that henceforward they be not grieved with frivolous and wrongful suits, and molestations : It is ordained, and provided, that no Inhibition shall be granted out of any Court, belonging to the Archbishop of *Canterbury*, at the instance of any party, unless it be subscribed by an Advocate practising in the said Court : which the said Advocate shall do freely, not taking any Fee for the same, except the the party prosecuting the suit, do voluntarily bestow some gratuity upon him for his counsel and advice in the said cause. The like course shall be used in granting forth any

Inhibition at the instance of any party by the Bishop or his Chancellor against the Arch-deacon, or any other person exercising Ecclesiastical jurisdiction : and if in the Court or Consistory of any Bishop there be no Advocate at all, then shall the subscription of a Proctor, practising in the same Court, be sufficient.

XCVII.

Inhibitions not to be granted until the Appeal be exhibited to the Judge.

IT is further ordered, and decreed, that henceforward no Inhibition be granted by occasion of any Interlocutory decree, or in any cause of correction whatsoever, except under the form aforesaid : and moreover that before the going out of any such Inhibition, the Appeal it self, or a copy thereof (avouched by oath to be just and true) be exhibited to the Judge, or his lawful Surrogate, whereby he may be fully informed, both of the quality of the crime, and of the cause of the grievance, before the granting forth of the said Inhibition. And every Appellant or his lawful Proctor shall, before the obtaining of any such Inhibition, shew and exhibit to the Judge or his Surrogate in writing, a true copy of those Acts wherewith he complaineth himself to be aggrieved, and from which he appealeth, or shall take a corporal oath that he hath performed his diligence, and true endeavour for the obtaining of the same, and could not obtain it at the hands of the Register in the Countrey,

or his Deputy, tendering him his Fee. And if any Judge or Register shall either procure or permit any Inhibition to be sealed, so as is said, contrary to the form and limitation above specified, let him be suspended from the execution of his office, for the space of three moneths: If any Proctor, or other person whatsoever by his appointment, shall offend in any of the premiffes, either by making or sending out any Inhibition, contrary to the tenor of the said premiffes, let him be removed from the exercise of his office for the space of a whole year, without hope of release or restoring.

XCVIII.

Inhibitions not to be granted to factious Appellants, unless they first subscribe.

FOrasmuch as they who break the Laws cannot in reason claime any benefit or protection by the same; We decree and appoint, that after any Judge Ecclesiastical hath proceeded judicially against obstinate and factious persons, and contemnors of Ceremonies, for not observing the Rites and Orders of the Church of *England*, or for contempt of publick Prayer, no Judge *ad quem*, shall admit or allow any his or their Appeals, unless he having first seen the original Appeal, the party appellant do first personally promise and vow, that he will faithfully keep and observe all the Rites and Ceremonies of the Church of *England*, as also the prescript form of Common Prayer: and do likewise subscribe to the three Articles formerly by us spe-

None to marry within the degrees prohibited.

NO persons shall marry within the degrees prohibited by the Laws of God, and expressed in a Table set forth by authority in the year of our Lord God 1563. and all Marriages so made and contracted shall be adjudged incestuous and unlawful, and consequently shall be dissolved as void from the beginning, and the parties so married shall by course of law be separated. And the aforesaid Table shall be in every Church publikly set up, and fixed at the charge of the Parish.

C.

None to marry under xxi. years, without their Parents consent.

NO children under the age of one and twenty years compleat, shall contract or marry without the consent of their Parents, or of their Guardians and Governours, if their Parents be deceased.

CI.

By whom Licences to marry without Banns shall be granted, and to what sort of persons.

NO Faculty or Licence shall be henceforth granted for solemnization of Matrimony betwixt any parties, without thrice open publication of the Banns, according to the Book of Common Prayer, by any person exercising any Ecclesiastical Jurisdiction, or claiming any Privileges in the right of their Churches: but the same shall be granted

only by such as have Episcopal authority, or the Commissary for Faculties, Vicars general of the Archbishops and Bishops *sede plena*, or *sede vacante*, the Guardian of the Spiritualities, or Ordinaries exercising of right Episcopal Jurisdiction in their several Jurisdictions respectively, and unto such persons only as be of good state and quality, and that upon good caution and security taken.

CII.

Security to be taken at the granting of such Licences, and under what condition.

THe security mentioned shall contain these conditions: First, that at the time of the granting every such Licence, there is not any impediment or precontract, consanguinity, affinity, or other lawful cause to hinder the said marriage. Secondly, that there is not any controversy or suit depending in any Court before any Ecclesiastical Judge, touching any contract or marriage of either of the said parties with any other. Thirdly, that they have obtained thereunto the expresse consent of their parents (if they be living) or otherwise of their Guardians or Governours. Lastly, that they shall celebrate the said Matrimony publicly in the Parish Church or Chapel where one of them dwelleth, and in no other place, and that between the hours of eight and twelve in the forenoon.

Oathes to be taken for the conditions.

FOr the avoiding of all fraud and collusion in the obtaining of such Licences and Dispensations: We further constitute and appoint, That before any Licence for the Celebration of Matrimony, without publication of Banns be had or granted, it shall appear to the Judg by the oathes of two sufficient witnesses, one of them to be known either to the Judg himself, or to some other person of good reputation then present, and known likewise to the said Judg, that the expresse consent of the Parents, or Parent if one be dead, or Guardians, or Guardian of the parties is thereunto had and obtained. And furthermore that one of the parties personally swear, that he believeth there is no let or impediment of precontract, kindred, or alliance, or of any other lawful cause whatsoever, nor any suit commenced in any Ecclesiastical Court; to bar or hinder the proceeding of the said Matrimony, according to the tenor of the foresaid Licence.

CIV.

An exception for those that are in Widow-hood.

IF both the parties which are to marry being in Widow-hood, do seek a Faculty for the forbearing of Banns, then the clauses before-mentioned, requiring the parents consents may be omitted: but the Parishes where they dwell both shall be expressed in the Licence, as also the Parish

named where the Marriage shall be celebrated. And if any Commissary for Faculties, Vicars general, or other the said Ordinaries shall offend in the premisses, or any part thereof, he shall for every time so offending, be suspended from the execution of his office for the space of six months: and every such Licence or Dispensation shall be held void to all effects and purposes, as if there had never been any such granted: and the parties marrying by vertue thereof, shall be subject to the punishments which are appointed for clandestine Marriages.

C V.

No Sentence for Divorce to be given upon the sole confession of the parties.

FOrasmuch as matrimonial causes have been alwaies reckoned and reputed amongst the weightiest, and therefore require the greater caution, when they come to be handled and debated in judgment, especially in causes wherein Matrimony having been in the Church duely solemnized, is required upon any suggestion or pretext whatsoever to be dissolved or annulled; We do straightly charge and enjoyn, that in all proceedings to Divorce and Nullities of Matrimony, good circumspection and advice be used, and that the truth may (as far as possible) be sifted out by the deposition of witnesses, and other lawful proofs and evictions, and that credit be not given to the sole confession of the parties themselves, howsoever taken upon oath,

CVI.

No Sentence for Divorce to be given but in open Court.

NO sentence shall be given either for separation *a thoro & mensa*, or for annulling of pretended Matrimony, but in open Court, and in the seat of Justice, and that with the knowledg and consent either of the Archbishop within his province, or of the Bishop within his Diocess, or of the Dean of the Arches, the Judg of the Audience of *Canterbury*, or of the Vicars general, or other principal Officials, or *sede vacante*, of the Guardians of the the Spiritualities, or other Ordinaries to whom of right it apperteineth, in their severall Jurisdictions and Courts, and concerning them only that are then dwelling under their jurisdictions.

CVII.

In all Sentences for Divorce, bonds to be taken for not marrying, during each others life.

IN all Sentences pronounced only for Divorce and Separation, *a thoro & mensa*, there shall be a caution and restraint inserted in the Act of the said Sentence, That the parties so separated, shall live chastly, and continently: neither shall they, during each others life, contract Matrimony with other person. And for the better observing of this last clause, the said Sentence of Divorce shall not be pronounced, until the party or parties requiring the same, have given good and sufficient caution, and security into the Court, that they will not any way break or transgress the

The penalty for Judges offending in the premisses.

ANd if any Judg giving Sentence of Divorce or Separation, shall not fully keep and observe the premisses, he shall be by the Archbishop of the Province, or by the Bishop of the Diocess, suspended from the exercise of his Office for the space of a whole year, and the sentence of separation so given, contrary to the form aforesaid, shall be held void to all intents and purposes of the Law, as if it had not at all been given or pronounced.

Ecclesiastical Courts belonging to the Jurisdiction of Bishops and Arch-deacons, and the proceedings in them.

Notorious Crimes and Scandals to be certified into Ecclesiastical Courts by Presentment.

IF any offend their brethren, either by Adultery, Whoredom, Incest, or Drunkenness, or by Swearing, Ribaldry, Usury, or any other uncleanness and wickedness of life, the Churchwardens or Questmen and Sidemen in their next Presentments to their Ordinaries, shall faithfully present all and every the said offenders, to the intent that they and every of them may be punished by the severity of the Laws, according to their deserts, and such notorious offenders shall not be admitted to

Schismatics to be presented.

IF the Churchwardens or Questmen or Assistants, do or shall know any man within their Parish, or elsewhere, that is a hinderer of Gods Word to be read or sincerely preached, or of the execution of these our Constitutions, or a fautor of any usurped or foreign power by the Laws of this Realm justly rejected and taken away, or a defender of Popish and erronious doctrine: they shall detect and present the same to the Bishop of the Diocess, or Ordinary of the place, to be censured and punished according to such Ecclesiastical Laws as are prescribed in that behalf.

CXI.

Disturbers of Divine Service to be presented.

IN all Visitations of Bishops and Archdeacons, the Churchwardens or Questmen and Sidemen shall truly and personally present the names of all those, which behave themselves rudely or disorderly in the Church, or which by untimely ringing of Bells, by walking, talking, or other noise, shall hinder the Minister or Preacher.

CXII.

Not Communicants at Easter to be presented.

THe Minister, Churchwardens, Questmen and Assistants of every Parish Church and Chapel, shall yearly, within forty daies after Easter, exhibit to the Bishop or his Chancellor, the names and surnames of all Parishioners, as-

well men as women, which being of the age of sixteen yeers, received not the Communion at Easter before.

CXIII.

Ministers may present.

BEcause it often cometh to pass, that the Churchwardens, Sidemen, Questmen, and such other persons of the Laytie as are to take care for the suppressing of sin and wickedness in their severall Parishes, as much as in them lieth, by admonition, reprehension, and denunciation to their Ordinaries, do forbear to discharge their duties therein, either through fear of their Superiors, or through negligence, more than were fit, the licentiousness of these times considered: We ordain, that hereafter every Parson and Vicar, or in the lawful absence of any Parson or Vicar, then their Curates and Substitutes may joyn in every presentment, with the said Churchwardens, and the rest above-mentioned at the times hereafter limited, if they the said Churchwardens, Sidemen, and the rest will present such enormities as are apparant in the Parish: or if they will not, then every such Parson and Vicar, or, in their absence as aforesaid, their Curats may themselves present to their Ordinaries at such times, and when else they think it meet, all such crimes as they have in charge, or otherwise, as by them (being the persons that should have the chief care for the suppressing of sin and

impiety in their Parishes) shall be thought to require due reformation. Provided alwaies, that if any man confess his secret and hidden sins to the Minister for the unburthening of his conscience, and to receive spiritual consolation and ease of mind from him. We do not any way bind the said Minister by this our Constitution, but do straightly charge and admonish him, that he do not at any time reveal and make known to any person whatsoever, any crime or offence so committed to his trust and secrecy (except they be such crimes as by the Laws of this Realm, his own life may be called into question for concealing the same) under pain of irregularity.

CXIV.

Ministers shall present Recusants.

EVery Parson, Vicar, or Curat shall carefully inform themselves every year hereafter, how many Popish Recusants, men, women, and children above the age of thirteen yeers, and how many being Popishly given (who though they come to the Church, yet do refuse to receive the Communion) are inhabitants, or make their abode, either as Sojourners or common Guests in any of their several Parishes, and shall set their true names in writing (if they can learn them) or otherwise, such names as for the time they carry, distinguishing the absolute Recusants from half Recusants: and the same so far as they know and believe, so distinguished and set down under their hands, shall truly

present to their Ordinaries before the feast of the Nativity next ensuing, under pain of suspension to be inflicted upon them by their said Ordinaries : and so every year hereafter upon the like pain, before the feast of Saint *John Baptist*. Also we ordain, that all such Ordinaries, Chancellors, Commissaries, Arch-deacons, Officials, and all other Ecclesiastical Officers, to whom the said presentments shall be exhibited, shall likewise within one moneth after the receipt of the same, under pain of suspension by the Bishop from the execution of their Offices for the space of half a year (as often as they shall offend therein) deliver them, or cause to be delivered to the Bishop respectively : who shall also exhibit them to the Archbishop within six weeks, and the Archbishop to his Majesty within other six weeks, after he hath received the said presentments.

C X V.

Ministers, and Churchwardens not to be sued for presenting.

WHereas for the reformation of criminous persons, and disorders in every Parish, the Church-wardens, Questmen, Side-men, and such other Church-Officers are sworn, and the Minister charged, to present as well the crimes, and disorders committed by the said criminous persons, as also the common fame which is spread abroad of them, whereby they are often maligned, and sometimes troubled by the said Delinquents or their friends : We do admonish, and exhort all Judges both Ecclesiastical and Temporal, as they regard

and reverence the fearful Judgment seat of the highest Judge, that they admit not in any of their Courts, any complaint, plea, suit, or suits against any such Church-wardens, Quest-men, Side-men, or other Church Officers, for making any such presentments, nor against any Minister for any presentment that he shall make: all the said presentments tending to the restraint of shameless impiety, and considering that the rules both of charity and government do presume that they did nothing therein of malice, but for the discharge of their consciences.

CXVI.

Church-wardens not bound to present oftner than twice a year.

NO Church-wardens, Quest-men, or Sidemen of any Parish shall be enforced to exhibit their presentments to any having Ecclesiastical Jurisdiction above once in every year, where it hath been no oftner used, nor above twice in any Diocese whatsoever, except it be at the Bishops Visitation. For the which presentments of every Parish Church or Chapel, the Register of any Court where they are to be exhibited, shall not receive in one year above four pence, under pain for every offence therein, of suspension from the execution of his office for the space of one moneth *toties quoties*. Provided alwaies, that as good occasion shall require, it shall be lawful for every Minister, Church-wardens, and Side-men, to present offenders as often as they shall think meet. And likewise for any godly disposed person, or for any

Ecclesiastical Judg, upon knowledge or notice given unto him or them, of any enormous crime within his Jurisdiction, to move the Minister, Church-wardens, or Side-men, as they tender the glory of God, and reformation of sin, to present the same, if they shall find sufficient cause to induce them thereunto, that it may be in due time punished, & reformed. Provided, that for these voluntary presentments, there be no Fee required or taken of them, under the pain aforesaid.

CXVII.

Church-wardens not to be troubled for not presenting oftner than twice a year.

NO Church-wardens, Quest-men, or Side-men shall be called or cited, but only at the said time or times before limited, to appear before any Ecclesiastical Judg whatsoever, for refusing at other times to present any faults committed in their Parishes, and punishable by Ecclesiastical Laws. Neither shall they, or any of them, after their presentments exhibited at any of those times, be any further troubled for the same, except upon manifest and evident proof it may appear, that they did then willingly, and wittingly, omit to present some such publique crime or crimes as they knew to be committed, or could not be ignorant that there was then a publique fame of them, or unless there be very just cause to call them for the explanation of their former presentments. In which case of wilful omission, their Ordinaries shall proceed against them in such sort, as in

causes of wilful perjury in a Court Ecclesiastical it is already by Law provided.

CXVIII.

The old Churchwardens to make their presentments before the new be sworn.

THe Office of all Church-wardens and Side-men shall be reputed ever hereafter to continue, until the new Church-wardens that shall succeed them, be sworn, which shall be the first week after Easter, or some week following, according to the direction of the Ordinary. Which time so appointed, shall alwaies be one of the two times in every year, when the Minister or Church-wardens, and Side-men of every Parish shall exhibit to their several Ordinaries, the presentments of such enormities as have happened in their Parishes, since their last presentments. And this duty they shall perform before the newly chosen Church-wardens, and Side-men be sworn, and shall not be suffered to pass over the said presentments to those that are newly come into Office, and are by intendment ignorant of such crimes, under pain of those censures which are appointed for the reformation of such dalliers and dispensers with their own consciences and Oaths.

CXIX.

Convenient time to be assigned for framing presentments.

FOr the avoiding of such inconveniences as heretofore have happened by the hasty making of Bills of present-

ments, upon the daies of the Visitation , and Synods: it is ordered , That alwaies hereafter every Chancellor, Arch-Deacon, Commissary, and Official , and every other person having Ecclesiastical Jurisdiction , at the ordinary time when the Church-wardens are sworn : and the Archbishop, and Bishops , when he or they do summon their Visitation, shall deliver , or cause to be delivered to the Church-wardens, Questmen, and Side-men of every Parish , or to some of them, such books of Articles as they or any of them shall require for the year following , the said Church-wardens, Quest-men and Side-men to ground their presentments upon, at such times as they are to exhibit them. In which Book shall be contained the form of an Oath which must be taken immediately before every such presentment: to the intent that having before-hand time sufficient, not only to peruse , and consider what the said Oath shall be, but the Articles also whereupon they are to ground their presentments , they may frame them at home both advisedly and truly , to the discharge of their own consciences, after they are sworn, as becometh honest and godly men.

C X X.

None to be cited into Ecclesiastical Courts by Process of Quorum nomina.

NO Bishop, Chancellor, Arch-deacon, Official or other Ecclesiastical Judge shall suffer any general Processes of *Quorum nomina*, to be sent out of his Court : except

the names of all such as thereby are to be cited, shall be first expressly entred by the hand of the Register, or his Deputy, under the said Processess, and the said Processess and names be first subscribed by the Judg, or his Deputy, and his Seal thereto affixed.

CXXI.

None to be cited into several Courts for one crime.

IN places where the Bishop, and Arch-deacon do by prescription or composition visit at several times in one and the same year, lest for one and the self-same fault any of his Majesties Subjects should be challenged, and molested in divers Ecclesiastical Courts: We order and appoint, That every Arch-deacon, or his Official, within one moneth after the Visitation ended that year, and the presentments received, shall certifie under his Hand and Seal, to the Bishop or his Chancellor, the names and crimes of all such as are detected and presented in his said Visitation, to the end the Chancellor shall henceforth forbear to convent any person for any crime or cause so detected or presented to the Arch-deacon. And the Chancellor within the like time after the Bishops Visitation ended, and Presentments received, shall under his Hand and Seal signify to the Arch-deacon or his Official, the names and crimes of all such persons which shall be detected or presented unto him in that Visitation, to the same intent as is aforesaid. And if these Officers shall not certifie each other as is here prescribed, or after such certificate shall entermeddle with the crimes or persons de-

tested, and presented in each others Vjsitation : then every of them so offending, shall be suspended from all exercise of his Jurisdiction, by the Bishop of his Dioceſs, until he ſhall repay the coſts, and expences which the parties grieved have been at by that vexation.

CXXII.

No ſentence of Deprivation or Depoſition to be pronounced againſt a Miniſter, but by the Biſhop.

VW Hen any Miniſter is complained of, in any Eccleſiaſtical Court belonging to any Biſhop of this Province for any crime, the Chancellor, Commiſſary, Official or any other having Eccleſiaſtical Jurisdiction to whom it ſhall appertain, ſhall expedit the cauſe by Proceſſes, and other proceedings againſt him: and upon contumacy for not appearing, ſhall firſt ſuſpend him, and afterward his contumacy continuing, Excommunicate him. But if he appear, and ſubmit himſelf to the courſe of Law, then the matter being ready for ſentence, and the merits of his offence, enacting by Law either deprivation from his living, or depoſition from the Miniſtery, no ſuch ſentence ſhall be pronounced by any perſon whatſoever, but only by the Biſhop, with the aſſiſtance of his Chancellor, the Dean, (if they may conveniently be had) and ſome of the Prebendaries, if the Court be kept neer the Cathedral Church, or of the Arch-deacon, if he may be had conveniently, and two other at the leaſt grave Miniſters, and Preachers to be called

by the Bishop, when the Court is kept in other places.

CXXIII.

No Act to be speed but in open Court.

NO Chancellor, Commissary, Arch-deacon, Official, or any other person using Ecclesiastical Jurisdiction whosoever, shall speed any judicial Act, either of contentions or voluntary Jurisdiction, except we have the ordinary Register of that Court, or his lawful Deputy; or if he or they will not, or cannot be present, then such persons as by law are allowed in that behalf to write or speed the same, under pain of suspension *ipso facto*.

CXXIV.

No Court to have more than one Seal.

NO Chancellor, Commissary, Arch-deacon, Official, or any exercising Ecclesiastical Jurisdiction, shall without the Bishops consent have any more Seals than one, for the sealing of all matters incident to his office. Which Seal shall alwaies be kept either by himself, or his lawful Substitute exercising Jurisdiction for him, and remaining within the Jurisdiction of the said Judge, or in the City or principal Town of the Countrey. This shall contain the title of that Jurisdiction, which every of the said Judges or their Deputies do execute.

Convenient places to be chosen for the keeping of Courts.

ALl Chancellors, Commissaries, Arch-deacons, Officials, and all other exercising Ecclesiastical Jurisdiction, shall appoint such meet places for the keeping of their Courts by the assignment or approbation of the Bishop of the Diocess, as shall be convenient for entertainment of those that are to make their appearance there, and most indifferent for their travel. And likewise they shall keep, and end their Courts in such convenient time, as every man may return homewards in as due season as may be.

Peculiar, and inferiour Courts to exhibit the original copies of Wills into the Bishops Registry.

WHereas Deans, Arch-deacons, Prebendaries, Parsons, Vicars, and other Exercising Ecclesiastical Jurisdiction, claim liberty to prove the last Wills and Testaments of persons deceased within their severall Jurisdictions, having no known nor certain Registers, nor publick place to keep their Records in, by reason whereof many Wills, Rights, and Legacies upon the death or change of such persons, and their private Notaries, miscarry, and cannot be found, to the great prejudice of his Majesties Subjects: We therefore order and enjoin, that all such possessors, and exercisers of peculiar Jurisdiction, shall once in every year exhibit into the publick Registry of the Bishop of the Dio-

cess, or of the Dean and Chapter under whose Jurisdiction the said Peculiars are, every original Testament of every person in that time deceased, and by them proved in their several peculiar Jurisdictions, or a true Copy of every such Testament examined, subscribed, and sealed by the peculiar Judg, and his Notary. Otherwise, if any of them fail so to do, the Bishop of the Diocess, or Dean and Chapter unto whom the said Jurisdictions do respectively belong, shall suspend the said parties, and every of them, from the exercise of all such peculiar Jurisdiction, untill they have performed this our Constitution.

Judges Ecclesiastical, and their
Surrogates.

CXXVII.

The quality and Oath of Judges.



NO man shall hereafter be admitted a Chancellor, Commissary, or Official, to exercise any Ecclesiastical Jurisdiction, except he be of the full age of six and twenty years at the least, and one that is learned in the Civil, and Ecclesiastical Laws, and is at the least a Master of Arts, or Bachelor of Law, and is reasonably well practised in the course thereof, as likewise well affected, and zealously bent to Religion, touching whose life and manners no evil example is had, and except before he enter into, or execute any such office, he

shall take the oath of the Kings Supremacy in the presence of the Bishop, or in the open Court, and shall subscribe to the Articles of Religion agreed upon in the Convocation, in the year one thousand five hundred sixty and two, and also shall swear, that he will to the uttermost of his understanding, deal uprightly and justly in his office, without respect or favour or reward: the said oaths and subscription to be recorded by a Register then present. And likewise all Chancellors, Commissaries, Officials, Registers, and all other that do now possess or execute any places of Ecclesiastical Jurisdiction, or Service, shall before Christmas next, in the presence of the Archbishop or Bishop, or in open Court, under whom or where they exercise their offices, take the same oaths, and subscribe, as before is said: or upon refusal so to do, shall be suspended from the execution of their Offices, until they shall take the said oaths, and subscribe, as aforesaid.

CXXVIII.

The quality of Surrogates.

NO Chancellor, Commissary, Arch-deacon, Official, or any other person using Ecclesiastical Jurisdiction, shall at any time substitute in their absence any to keep any Court for them, except he be either a grave Minister and a Graduate, or a licensed publick preacher, and a Beneficed man near the place where the Courts are kept, or a Bachelor of Law, or a Master of Arts at least, who hath some skill in the

Civil and Ecclesiastical Law, and is a favourer of true Religion, and a man of modest and honest conversation, under pain of suspension for every time that they offend therein from the execution of their offices for the space of three moneths *toties quoties*. And he likewise that is deputed, being not qualified, as is before expressed, and yet shall presume to be a substitute to any Judg, and shall keep any Court, as is aforesaid, shall undergo the same censure in manner and form as is before expressed.

Proctors.

CXXIX.

Proctors not to retein causes without the lawful assignment of the parties.



One shall procure in any causes whatsoever, unless he be thereunto constituted and appointed by the party himself, either before the Judge, and by Act in Court, or unless in the beginning of the Suit, he be by a true and sufficient Proxy thereunto warranted, and enabled: We call that Proxy sufficient, which is strengthened and confirmed by some authentical Seal, the parties approbation, or at least his ratification therewithall concurring. All which Proxys shall be forthwith by the said Proctors exhibited into the Court, and be safely kept, and preserved by the Register in the publick

Registry of the said Court. And if any Register or Proctor shall offend herein he shall be secluded from the exercise of his Office for the space of two moneths, without hope of release or restoring.

CXXX.

Proctors not to retin causes without the counsel of an Advocate.

FOr lessning, and abridging the multitude of Suits, and contentions, as also for preventing the complaints of Suits in Courts Ecclesiastical, who many times are overthrown by the oversight and negligence, or by the ignorance and insufficiency of Proctors, and likewise for the furtherance and increase of Learning; and the advancement of Civil and Canon Law, following the laudable customs heretofore observed in the Courts pertaining to the Archbishop of *Canterbury*: We will and ordain, that no Proctor exercising in any of them, shall entertain any cause whatsoever, and keep and entertain the same for two Court daies, without the counsel and advice of an Advocate, under pain of a years suspension from his practice; neither shall the Judge have power to release or mitigate the said penalty, without expresse Mandate and Authority from the Archbishop aforesaid.

CXXXI.

Proctors not to conclude in any cause, without the knowledge of an Advocate.

NO Judg in any of the said Courts of the Archbishop, shall admit any Libel, or other matter, without the advice of an Advocate admitted to practise in the same Court, or without his subscription: neither shall any Proctor conclude any cause depending, without the knowledge of the Advocate retained, and feed in the cause: which if any Proctor shall do, or procure to be done, or shall by any colour whatsoever defraud the Advocate of his duty or Fee, or shall be negligent in repairing to the Advocate, and requiring his advice, what course is to be taken in the cause, he shall be suspended from all practice for the space of six moneths, without hope of being thereunto restored, before the said term be fully compleat.

CXXXII.

Proctors prohibited the Oath In animam Domini sui.

FOrasmuch as in the probate of Testaments, and suits for administration of the goods of persons dying intestate, the oath usually taken by Proctors in Courts *In animam constituentis*, is found to be inconvenient: We do therefore decree & ordain, That every Executor or Suitor for administration, shall personally appear to the Judg in that behalf, or his Surrogate, and in his own person (and not by Proctor) take the oath accustomed in these cases. But if by reason of sick-

ness or age, or any other just let or impediment, he be not able to make his personal appearance before the Judg, it shall be lawful for the Judg (there being faith first made by a credible person, of the truth of his said hinderance or impediment) to grant a Commission to some grave Ecclesiastical person abiding neer the party aforesaid, whereby he shall give power and authority to the said Ecclesiastical person in his stead to minister the accustomed oath above-mentioned, to the Executor or Suitor for such administration, requiring his said Substitute, that by a faithful and trusty messenger he certifie the said Judg truly and faithfully what he hath done therein. Lastly, we ordain, and appoint, That no Judge or Register, shall in any wise receive for the Writing, Drawing, or Sealing of any such Commission, above the sum of six shillings and eight pence: whereof one moytie to be for the Judg, and the other for the Register of the said Court.

CXXXIII.

Proctors not to be clamorous in Court.


FOrasmuch as it is found by experience, that the loud & confused cries and clamours of Proctors in the Courts of the Arch-bishop, are not only troublefom, and offensive to the Judges and Advocates, but also give occasion to the standers by, of contempt and calumny toward the Court it self: that more respect may be had to the dignity of the Judg than heretofore, and that causes may more easily and com-

modiously be handled, and dispatched: We charge and enjoin, That all Proctors in the said Courts do especially intend, that the Acts be faithfully entred, and set down by the Register, according to the advice and direction of the Advocate, that the said Proctors refrain loud speech, and brabbling, and behave themselves quietly, and modestly, and that when either the Judges or Advocates or any of them, shall happen to speak, they presently be silent, upon pain of silencing for two whole Terms then immediately following every such offence of theirs. And if any man shall the second time offend herein, and after due monition shall not reform himself: let him be for ever removed from his practice.

Registers.

CXXXIV.

Abuses to be reformed in Registers.

 F any Register, or Deputy, or Substitute whatsoever, shall receive any Certificate without the knowledge and consent of the Judge of the Court, or willingly omit to cause any persons, cited to appear upon any Court day, to be called, or unduly put off and defer the examination of witnesses to be examined by a day set, and assigned by the Judge; or do not obey and observe the judicial and lawful monition of the said Judge, to omit to write, or cause to be written, such Citations and

Decrees, as are to be put in execution, and set forth before the next Court-day, or shall not cause all Testaments exhibited into his Office, to be registred within a convenient time, or shall set down or enact as decreed by the Judg any thing false, or conceited by himself, and not so ordered or decreed by the Judg, or in the transmission of Processess to the Judg *Ad quem*, shall add or insert any falshood or untruth, or omit any thing therein, either by cunning, or by gross negligence, or in causes of Instance, or promoted of Office, shall receive any reward in favour of either party, or be of Counsel directly or indirectly with either of the parties in Suit or in the execution of their Office, shall do ought else maliciously, or fraudulently, whereby the said Ecclesiastical Judge or his proceedings may be slandered or defamed: We will, and ordain, that the said Register or his Deputy or Substitute, offending in all, or any of the premises, shall by the Bishop of the Diocess be suspended from the exercise of his Office, for the space of one, two, or three moneths, or more, according to the quality of his offence, and that the said Bishop shall assign some other publick Notary to execute and discharge all things pertaining to his Office, during the time of his said suspension.

A certain rate of Fees due to all Ecclesiastical Officers.

NO Bishop, Suffragan, Chancellor, Commissary, Archdeacon, Official, nor any other exercising Ecclesiastical Jurisdiction whatsoever, nor any Register of any Ecclesiastical Courts, nor any Minister belonging to any of the said Officers or Courts, shall hereafter, for any cause incident to their several Offices, take or receive any other or greater Fees than such as were certified to the most Reverend Father in God J O H N late Arch-bishop of *Canterbury*, in the year of our Lord God 1597. and were him ratified and approved, under pain that every such Judg, Officer, or Minister offending herein, shall be suspended from the exercise of their several Offices, for the space of six moneths for every such Offence. Alwaies provided, that if any question shall arise concerning the certainty of the said Fees, or any of them: Then those Fees shall be held for lawful, which the Arch-bishop of *Canterbury* for the time being shall under his hand approve, except the Statutes of this Realm before made, do in any particular case express some other Fees to be due. Provided furthermore, that no Fee or money shall be received either by the Arch-bishop, or any Bishop or Suffragan, either directly or indirectly, for admitting of any into sacred Orders, nor that any other person or persons under the said Arch-bishop, Bishop, or Suffragan, shall for Parchment, Writing, Wax, Sealing, or for any other respect thereunto apper-

taining, take above ten shillings, under such pains as are already by Law prescribed.

CXXXVI.

A Table of the Rates of Fees to be set up in Courts, and Registers.

VVE do likewise constitute, and appoint, that the Registers belonging to every such Ecclesiastical Judge, shall place two Tables, containing the several rates and sums of all the said Fees: One in the usual place or Consistory where the Court is kept, and the other in his Registry, and both of them in such sort, as every man whom it concerneth, may without difficulty come to the view and perusal thereof, and take a Copy of them: The same Tables to be set up before the feast of the Nativity next ensuing. And if any Register shall fail to place the said Tables according to the Tenor hereof, he shall be suspended from the execution of his Office, until he cause the same to be accordingly done: And the said Tables being once set up, if he shall at any time remove or suffer the same to be removed, hidden, or any way hindred from sight, contrary to the true meaning of this Constitution, he shall for every such offence be suspended from the exercise of his Office for the space of fix moneths.

CXXXVII.

The whole Fees for shewing of Letters of Orders, and other Licences, due but once in every Bishops time.

FOrasmuch as a chief and principal cause and use of Visitation is, that the Bishop, Arch-deacon, or other assigned to visit, may get some good knowledge of the State, Sufficiency, and Ability of the Clergy, and other persons whom they are to visit: We think it convenient that every Parson, Vicar, Curate, School-master, or other person Licensed whosoever, do at the Bishops first Visitation, or at the next Visitation after his Admission, shew, and exhibit unto him his Letters of Orders, Institution, and Induction, and all other his Dispensations, Licences, or Faculties whatsoever, to be by the said Bishop either allowed, or (if there be just cause) disallowed, and rejected; and being by him approved, to be as the custom is, signed by the Register, and that the whole Fees accustomed to be paid in the Visitation in respect of the premisses, be paid only once in the whole time of every Bishop, and afterwards but half of the said accustomed Fees, in every other Visitation, during the said Bishops continuance.

Apparators.

Constitutions, and
Apparitors.

CXXXVIII.

The number of Apparitors restrained.

INasmuch as we are desirous to redress such abuses & grievances as are said to grow by Sumners or Apparitors: We think it meet that the multitude of Apparitors be (as much as is possible) abridged, or restrained. Wherefore we decree, and ordain, that no Bishop or Arch-deacon, or their Vicars or Officials, or other inferiour Ordinaries, shall depute or have more Apparitors to serve their Jurisdictions respectively, than either they or their Predecessors were accustomed to have thirty yeers before the publishing of these our present Constitutions. All which Apparitors shall by themselves faithfully execute their Offices, neither shall they by any colour or pretence whatsoever cause or suffer their Mandats to be executed by any messengers or Substitutes, unless it be upon some good cause, to be first known and approved by the Ordinary of the place. Moreover, they shall not take upon them the Office of Promoters or Informers for the Court, neither shall they exact more or greater Fees than are in these our Constitutions formerly prescribed. And if either the number of the Apparitors deputed shall exceed the aforesaid limitation, or any of the said Apparitors shall offend in any of the premises, the persons deputing them, if

they be Bishops, shall upon admonition of their superiour, discharge the persons exceeding the number so limited. If inferiour Ordinaries, they shall be suspended from the execution of their Office, until they have dismissed the Apparitors by them so deputed, and the parties themselves so deputed, shall for ever be removed from the Office of Apparitors: And if being so removed, they desist not from the exercise of their said Offices, let them be punished by Ecclesiastical censures as persons contumacious. Provided, that if upon experience, the number of the said Apparitors be too great in any Diocess, in the judgment of the Archbishop of *Canterbury* for the time being, they shall by him be so abridged, as he shall think meet and convenient.

Authority of Synods.

CXXXIX.

A National Synod the Church representative.

Whosoever shall hereafter affirm, that the sacred Synod of this Nation, in the name of Christ and by the Kings Authority assembled, is not the true Church of *England* by representation; let him be excommunicated, and not restored, until he repent and publickly revoke that his wicked error.

Synods conclude as well the absent as the present.

WHosoever shall affirm, that no manner of person either of the Clergy or Laity, not being themselves particularly assembled in the said sacred Synod, are to be subject to the Decrees thereof in causes Ecclesiastical (made, and ratified by the Kings Majesties supreme authority) as not having given their voices unto them: let him be Excommunicated, and not restored, until he repent, and publicly revoke that his wicked error.

Depravers of the Synod, censured.

WHosoever shall hereafter affirm, That the sacred Synod assembled as aforesaid, was a company of such persons as did conspire together against godly and religious professors of the Gospel; and that therefore both they and their proceedings, in making of Canons and Constitutions in causes Ecclesiastical by the King's authority, as aforesaid, ought to be despised, and contemned, the same being ratified, confirmed, and enjoined, by the said Regal power, Supremacy and Authority: let them be excommunicated, and not restored, until they repent, and publicly revoke that wicked error.

WE of our Princely inclination, and Royal care for the maintenance of the present Estate and Government of the Church of England, by the Labors of this our Realm, now settled and established, having diligently, with great contentment and comfort, read, and considered of all these their said Canons, Orders, Ordinances, & Constitutions agreed upon, as is before expressed; and finding the same such as We are perswaded will be very profitable not only to Our Clergy, but to the whole Church of this Our Kingdom, and to all the true members of it (if they be well observed) have therefore for Us, Our Heirs, and lawfull Successors, of Our especial Grace, certain Knowledge, and meer Motion, given, and by these presents do give our Royal assent, according to the form of the said Statute or Act of Parliament aforesaid, to all, and every of the said Canons, Orders, Ordinances, and Constitutions, and to all and every thing in them contained, as they are before written.

And furthermore, We do not only by our said Prerogative Royal, and Supreme authority in causes Ecclesiastical, ratifie, confirm, and establish by these our Letters Patents, the said Canons, Orders, Ordinances and Constitutions, and all and every thing in them contained, as is aforesaid; but do likewise propound, publish, and streightely enjoin, and command by Our said authority, & by these Our

Letters Patents, the same to be diligently obserbed,
executed, & equally kept by all our loving Subjects
of this our Kingdom, both within the Province of
Canterbury, & York, in all points where in they do, or
may concern ebery or any of them, according to this
Our will & pleasure hereby signified and expressed:
& that likewise for the better obserbation of them,
ebery Minister, by what name or title soeber he be
called, shall in the Parish Church or Chappel where
he hath charge, read all the said Canons, Orders,
Ordinances, & Constitutions once ebery year, upon
some Sundaies or Holy daies, in the afternoon, be-
fore Divine Service, diuiding the same in such sort,
as that the one half may be read one day, and the o-
ther another day, the booke of the said Canons to be
providid at the charge of the Parish betwixt this &
the Feast of the Nativity of our Lord God next en-
suing: straightly charging & commanding all Arch-
bishops, Bishops, & all others that exercise any Ec-
clesiastical Jurisdiction within this Realm, ebery
man in his place to see and procure (so much as in
them lieth) all & ebery of the same Canon, Orders,
Ordinances, and Constitutions, to be in all points
duly obserbed, not sparing to execute the Penalties
in them severally mentioned, upon any that shall
withtingly or willingly break, or neglect to obserbe,
the same, as they tender the Honour of God, the
Peace of the Church, Tranquility of the Kingdom,
and their Duties and Service to Us, their King
and Soberaign

In Witnesse &c

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